

ELECTORAL MATTERS COMMITTEE

Inquiry into the Conduct of the 2022 Victorian State Election

Melbourne – Monday 30 October 2023

MEMBERS

Luba Grigorovitch – Chair

Brad Battin

David Ettershank

Wayne Farnham

Sam Hibbins

Emma Kealy

Nathan Lambert

Lee Tarlamis

Emma Vulin

WITNESSES

Christopher Burson, President, and

Heston Russell, Public Relations and Strategy Manager, Angry Victorians Party.

The CHAIR: I declare open the public hearings for the Electoral Matters Committee's Inquiry into the Conduct of the 2022 Victorian State Election. All mobile telephones should now be turned to silent.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands each of us is gathered on today, and paying my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of the issue to this committee or who are watching the broadcast of these proceedings.

I am Luba Grigorovitch, and I am the Chair of the committee and the Member for Kororoit. The other members of the committee here today are Brad Battin, the Member for Berwick; David Ettershank, a Member for Western Metropolitan; Wayne Farnham, the Member for Narracan; Sam Hibbins, the Member for Prahran; Emma Kealy, the Member for Lowan; Lee Tarlamis, a Member for South-Eastern Metropolitan; and Emma Vulin, the Member for Pakenham. And joining us on Zoom is Nathan Lambert, the Member for Preston.

I welcome both Christopher Burson and Heston Russell from the Angry Victorians Party.

All evidence taken by this committee is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media, those comments may not be protected by this privilege. The committee does not require witnesses to be sworn, but questions must be answered fully, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded by Hansard and is also being broadcast live on the Parliament's website. You will be provided with a proof version of the transcript for you to check as soon as it is available. Verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as possible.

Now, I understand we have got media present today from the *Age*. We welcome media coverage for the hearing today, but we remind you of the following guidelines: cameras must remain focused only on the people speaking; operators must not pan the public gallery, the committee or witnesses; and filming and recording must cease immediately at the completion of the hearing. The broadcasting or recording of this hearing by anyone other than accredited media is not permitted.

I invite you to proceed with a brief 5-minute opening statement to the committee, which will be followed by questions from the committee. Thank you.

Heston RUSSELL: Well, first and foremost, thank you to the committee for having us here today. Obviously my name is Heston Russell, and I ran as the federal member supporting Chris Burson and the team here in Victoria during the election. About 18 months ago, during the lead-up to that election, was when we first came across Mr Glenn Druery and obviously the preference-whispering scheme that we were introduced to. Chris being an ex-police officer and both of us being veterans, we immediately identified that there was something at least immoral about this, if not illegal, and set about looking to expose that publicly. We took those steps, as you have seen from the recording, including capturing Mr Druery talking about engaging with current serving parliamentarians and using administrative funds to pay for his services right the way through to working with, particularly, governments, who were not going to change those laws as a condition of his supporting their maintenance of power, and we went about providing that to IBAC. We have since been a little bit disappointed, given it has not encroached on anything to do with the parliamentary legal proceedings. But as far as outside of that and as far as actually bringing about more transparency and change for the people of Victoria and how they vote, we have come here today open and willing to answer your questions in the hope that perhaps that might be the next step of the process from here.

The CHAIR: Thank you. Christopher, do you have anything you want to add?

Christopher BURSON: Yes. I left the police force and came across. I thought that it was going to be an election based off policy, debate and that sort of thing. I found that the group voting ticket was the main way you could get in as a minor party, and then I found that there were massive discrepancies between the amount of funding that you could get by being in the two major parties, with the Cormack Foundation and Trades Hall and them being able to get money that way, whereas if I went to Gina Rinehart and wanted \$20 million, I would not be able to get more than about \$4000. I think that system is flawed.

I think the fact that you can turn up with 15 volunteers at one place is bullying, and people do not seem to enjoy having to walk through. I have been on the booths, and people did not enjoy having to walk through the whole bunch of people there to get involved. I would love to see no volunteers at all and just have the corflutes all along the side and their policies underneath and people could just walk in and walk out without being spoken to by anyone and make their own decisions.

I would also like to see each electorate having their own debate between their members. I have been to farmers federations, where the Nationals and the Liberals will turn up and then the Labor Party will not be there because it is not their favourite thing. And then I have been to the opposite: I have been to education ones with teachers, where the Liberal Party will not turn up because that is not their thing and they are not well received. I have not been involved in any debates. At the actual debates that they did have – like, Ripon had one, for example – I and the other minor parties were allowed to sit in the foyer but we were not allowed to be on the stage, because we were not deemed as potential winning candidates. In which case that then carries on the fact that if you are not going to be seen, you cannot be – you know, we do not have the money. We are not going to get the airtime. The media do not really want to speak to you either because you are not obviously one of the big two. There just seems to be a complete lack of fairness along the way. You look at Formula One – that was getting out of control for money, and then they had a control tyre and they had all that sort of thing. I would love to see elections based off debate, ideas and back and forth that way, not the rest of it.

Obviously it went fully pear-shaped when we got approached and he said, ‘Do you want to buy a seat for 50 grand?’ I was just like, ‘Well, policy doesn’t mean anything anymore,’ and then I had to set about making a party and getting 16 people. Then we had paper candidates and all that other sort of stuff was brought up, and I was just like, ‘Well, this election isn’t really based off ideas, it is based off a group voting ticket for minor parties and then the big two get to argue up the top for the overall thing.’ So it just really tarnished my view of the whole political system. Thank you very much for letting me talk today. Very negative, I am aware, but we are having this, so there is transparency in that way. Thank you.

The CHAIR: Thank you very much for your comments and also for the submission. I appreciate it was obviously late to start with. We as a committee discussed it and were quite keen to get you guys here and hear your thoughts, so thank you. You touched on it loosely, but just on the minor parties during the election campaign, what do you think the major issues were – or are?

Christopher BURSON: As a minor party I feel that if somebody is able to spend 60 grand on one area on Facebook ads and I am spending 12 grand of my own money for the whole six-month election, at no point is that going to be an even field. But to be fair, the voters still could go out of their way and try and find me and look that up – the thing is they do not. I cannot remember who I was speaking to about it – it was one of the members in there at the time. They were saying that basically it works on a rule of three. You give them a leaflet, they see your face, and then you get them another leaflet and they see your face again. By the time they then walk up to it, they will see your face again, and it is subconscious that they will vote for you because they like the photo. So they were like, ‘You need to pick a colour, you need to pick a font and you need to pick a photo based off that.’ The problem is that there is so much money that is put on there and they are using psychometrics and stuff like that to work out what they are doing, and that works really well. But it is not an even playing field if I do not have the same amount of money to do it.

And if we are not holding debates in the first place, then I cannot even counter that. Even if you were to have \$4 million and you were smashing somebody’s Facebook but then they turned up to a debate and then they were like, ‘Well, these two have talked, and I actually prefer that person over that person,’ it does not matter how much money they have. The VEC could actually hold a debate in each electorate, and then if people turn up, they turn up, and if they do not, they do not. But at least there would be something that was organised by the VEC that everybody got a chance to speak at, and then it would eliminate paper candidates because they would not show up, for starters, because that is not what you do as a paper candidate – your job is to be hidden

and just get votes to preference and work for the whisperer. And then if you got rid of all the volunteers and that sort of stuff, at least it would be less intimidating on the day when people are just trying to hand stuff to you. You would be like, 'Well, I spoke to that guy. I've actually seen him. I've actually spoken to him. I know who they are. I'm going to vote for them.' It would be a bit more old school. Just the resources are the biggest issue that way.

The CHAIR: Great. Thank you. I have got more questions, but I am mindful that my colleagues probably do as well. Around the table, does anyone – yes, Mr Battin.

Brad BATTIN: Thank you very much, both, for coming in. Obviously, as you said, it was negative at the start, but I actually think it is positive that some of this stuff does get out there. In relation to your experience of the process of how that happened with the group voting tickets, with you specifically – we will not go to others, but with you – how were you approached? What was the process to get to where it was? What was the desired outcome from those that you were meeting with? Obviously you did not go through with it, but what was the desired outcome? Because this committee is looking at changes, what changes should be made through this committee's recommendations to prevent that happening in the future?

Heston RUSSELL: As soon as we started communicating about raising the Victorian party we were directly contacted by Mr Druery, who through friends of friends got our mobile phone. We had a meeting in a cafe, and it sort of all went from there, basically putting all the districts and all the regions up on a map and saying, 'This party is promised this one, this party is promised this one. You might have a chance here. If you run some lower house votes here, we'll do this.' It was just basically cards on a trading table, and then if you could afford the \$55,000 fee to be able to do that. It really was just very sterile in being, like I said, cards on a table and money over or under the counter. Even those conversations of how that money would come down the track were part of the red flags that went up for us.

Christopher BURSON: Heston was contacted initially. It was during the federal election, wasn't it, that he told you that you should run for state?

Heston RUSSELL: No, no. It was after the federal.

Christopher BURSON: So after the federal we were contacted that we should run for state. When I spoke to him – he knew that I was going for Western Victoria – he said he had already given those two seats away, so I was better off taking my stuff down and just running for the north-east, because that was the best chance I had based off his system that was going on. I did not want to do that, and I did not want to be involved. To be honest, after this whole GVT thing came out I was like, 'I'm not going to win anyway because I'm not part of the game, but at least if I can expose it and people then have a platform to speak about it, we can adjust it and maybe make it fairer for the next one.' I think the GVT needs to pretty much be abolished. I do not have any issues with Glenn; he is a great businessman and what he does he is really good at. He is getting people elected. He is running a system that has worked for ages and he has done it all around the country. Every other state seems to have got rid of it for the same reason – it just seems to be shady. So if you got rid of that system and then you ran the New South Wales system – it does not have to be the same as the New South Wales system. If you do not, every state is obviously different and has different vibes to it. But as long as that group voting ticket is in place you are going to have paper candidates and you are going to have people from both ends of the scale who are basically selling out what they stand for.

If you are on one end of the spectrum, like all the way to the left or you are all the way to the right and then your preferencing those two parties in that area, the person who is a full Communist over this side is going to be voting for literally the person from the other side on the right, and they do not know that because it is not something that is publicised. It is not something that is well known. Most people do not seem to be learning about how the parliamentary system works. I was very oblivious to how it worked until obviously I got in there and then it was a really rapid learning curve behind the scenes. I am also well aware that a lot of sitting members probably do not know that this whole thing is going on, because they are too busy worrying about winning their seat and they are not involved with it.

Heston RUSSELL: I think that is the key point, Chris, actually: whatever system you change it to has to be accompanied with this whole voter education piece. We are in this situation because the average voter out there with compulsory voting does not actually know how the group voting ticket works. You would circumvent the

entire system if people just wrote their own preferences, but they do not because of misinformation, disinformation or no information about what is going on. You can keep trying to change things from the top down, but it has to have that bottom-up education piece, which I think we identified massively. Even in the federal election as well there is a massive learning deficiency, particularly when we have compulsory voting. It is quite an interesting predicament.

Brad BATTIN: So given what you saw – and obviously your video made it public originally and then there is a full 3-hour video et cetera – what would you say the success rate of Druery was for those that he dealt with across the state that you knew he had dealt with? How many seats effectively cost \$55,000 to buy rather than were won by genuine voter perceptions or voters in the community who made a decision alone? I know it is a tough question.

Christopher BURSON: I cannot tell you exactly. But speaking previously, he said he had had up to 12 in the past. He has been in the game since 1998, so how long this has been going on for is obviously something that could be looked into, but IBAC did not want to look into it. This one, I think he got around nine –

Heston RUSSELL: He reckons eight or nine.

Christopher BURSON: He was saying.

Heston RUSSELL: I believe this committee might be able to –

Brad BATTIN: We can ask those questions but –

Heston RUSSELL: And just more so, he is the one blatantly on that video saying that these parties are paying him \$1000 a week out of their admin fund to be a consultant. I do not know if you are able to track that. You literally should be able to identify the people who are paying Glenn Druery and there is your number.

Brad BATTIN: Before I get into trouble, has IBAC finished their investigation with yours?

Christopher BURSON: Yes.

Brad BATTIN: Okay. Are you able to make the documents that you sent to IBAC available to this committee considering now there is no longer –

Christopher BURSON: There are emails back and forth if you want, but yes. And like the video, you are welcome to have the video. On the video it talks about how the CFMEU asked to get Andy Meddick in, for example, and then you have got that Labor asked us to run people in lower house seats to then do the preference thing, but nobody directly from Labor spoke to us so there is obviously that loophole there. I am not having a go at Labor, however. I am sure there is one here.

A member: There might be one – or more.

Christopher BURSON: But the Liberal Party, we spoke to them and they just seemed oblivious. Like, they did not want to get involved either. We tried to say, ‘Look, this is going on. Why aren’t you guys doing a similar thing on the other side?’ Labor obviously do not talk to anyone directly because they have Glenn to do it, and then all the minor parties do whatever Glenn tells them to do. I was getting phone calls from random people I had never spoken to before from other parties who were like, ‘Hey, get out of western Victoria. Go and run over here and do whatever else it is. Just join the family.’ I was like, ‘What are we doing here?’ because if you have got in through that system you have to do what Glenn says. At the end of the day eventually you have to pay the piper, and that means you are not standing for your people, you are standing for your position.

Brad BATTIN: Just for the record, I know you –

The CHAIR: Thank you, Mr Battin. I will come back to you after.

Brad BATTIN: Just one quick one –

The CHAIR: We are up to 7 minutes now, so I am just going to move on to Mr Hibbins, and then I will come back if there are questions at the end.

Sam HIBBINS: Thanks, Chair. And thanks for appearing today. In any of your conversations with Glenn Druery, did he ever bring up or was it ever discussed about securing enough votes to get elected? Was that ever part of the discussion?

Christopher BURSON: No.

Sam HIBBINS: No.

Christopher BURSON: He said it was based off where you come up on the draw. If you are further to the left, you are worth more. So the Liberal Party versus the Democratic Labour Party et cetera, wherever you turn up in front of that is worth a certain percentage. So when he gets a group voting ticket he can sit there and he can see where you turn up and he can see funny names on the top, aka what we have done. So you can see funny names – if they are, you know, the Pirate Party or the Sex Party, people who are donkey voting are more likely to do that, and if you are further to the left you are more likely to get that. So he could work out based off that what seats you were more likely to win. As long as you got 1 per cent, he would then be able to lead all the other preferences from every other minor party to then keep jumping you up, which is where you can win off 1 per cent.

Heston RUSSELL: Or not even 1 per cent.

Christopher BURSON: As long as you are above – so if the other person is on 0.9 and you are 1, you now have 1.9, which has then got you above the other party who was 1.8, and now you are on 4 et cetera. So that is it. He just runs it purely as a statistician.

Sam HIBBINS: Basically it is a discussion not about how to actually win votes but where you are on the ballot paper and whether you can get off 1 per cent or –

Heston RUSSELL: ‘Is your name going to be able to attract someone who just wants to vote on a name?’ ‘After the draw, do you secure that poll position to potentially get the donkey vote?’ – things like that.

Christopher BURSON: So nothing about how to win votes, what your policy was. He had no input on any of that sort of thing. He was purely –

Sam HIBBINS: So no win preferences, no policy outcome, other than to retain group voting tickets?

Heston RUSSELL: Yes.

Sam HIBBINS: Yes. But you did discuss giving him money – that was part of it.

Christopher BURSON: Yes.

Heston RUSSELL: Well, the two conditions were obviously the payment piece and then, should there ever be a vote against the group voting ticket, that you would never vote to change it.

Sam HIBBINS: Right.

Heston RUSSELL: I think he is on the recording saying exactly that.

Sam HIBBINS: Right. So a condition that you would pay him, was it 5 grand up-front to be part of it?

Christopher BURSON: Yes.

Sam HIBBINS: You vote against any reform to group voting tickets, and then \$50,000 if you got elected.

Heston RUSSELL: Yes, which would be paid –

Christopher BURSON: From the administration fund.

Heston RUSSELL: as a weekly consultant fee from the administration fund.

Sam HIBBINS: A weekly consultant fee. Did he give you any indication about what that actually meant or what work would be undertaken?

Christopher BURSON: No. He actually says it in the video, where he is like, 'You can't pay me for my services for electoral stuff out of the administration fund, because that's not correct.' Then he says, 'However, you're a new party, you don't really know the area. I suggest you could probably pay me for my consultancy for \$1000 a week for the next 50 weeks.'

Sam HIBBINS: And that is inverted – you have made inverted commas.

Christopher BURSON: Well, yes. I do not need to do it. He literally said for consultancy, but he was not going to consult. There was no mention of him consulting.

Sam HIBBINS: Yes. So the inference was that he would get the money but he would not actually do the work.

Heston RUSSELL: It was blatant. From conversations that are on video, it is like, 'This is how we'll make the payment' as opposed to 'I'll be paid as a consultant'.

Sam HIBBINS: Yes. And as the law stands, if this does not change before the next election, he could very well be making the same offer to future parties.

Christopher BURSON: I would suggest if it does not change, he will then have carte blanche to just do it openly, out on a table out the front, have everyone come and walk up, because it has been cleared.

Sam HIBBINS: Yes, yes.

Christopher BURSON: It has been through IBAC; they did not want to do anything. There has been a committee and it has been, 'Yep, this is still fine.' There is literally nothing.

Sam HIBBINS: And yourselves, like you are new entrants to politics this election. There could be other new entrants to politics this election, very much they could be in it for, you know, whatever their reasons, policy reasons, but at the end of the day they might have to deal with the same Glenn Druery deals and what have you.

Heston RUSSELL: I think the other key piece was he is actually on the video saying he goes and establishes parties with throwaway names in order to garner those votes, which is another massive issue if someone is literally just setting up political parties in order to be feeders for this process.

Sam HIBBINS: Yes. So it is a system that is not a conversation about how to actually secure votes, not a conversation about policy, other than to retain group voting tickets, discussions about giving him money through the public means for work that is not getting done, and right now there is nothing to stop it.

Heston RUSSELL: Yes.

Sam HIBBINS: Yes. Thank you.

The CHAIR: Thanks, Mr Hibbins. Ms Kealy.

Emma KEALY: Thank you very much. Thanks for your evidence today and for sharing the video. In western Victoria there was a party established called the Sack Dan Andrews Party. I understand the preferences went to the Australian Labor Party. Is that correct by your understanding?

Christopher BURSON: That was what he said in the video. I do not actually know where their preferences go.

Emma KEALY: During your discussions with Druery was there ever an indication of what the relationship was between Druery and the micro-parties that he was preferencing and the Australian Labor Party?

Christopher BURSON: He never said that he is a part of the Australian Labor Party. He was very clear to not do that, but he said, 'From what I've been told from them,' so he was obviously in talks with them the

whole time. And he does not deal with the Liberal Party because he says you can get the Liberal votes for free – as long as you are above Greens and Labor, they will give them to you. Whereas, he was saying, the Labor ones you have to buy, and by ‘buy’ he does not mean money, he means you have to do work for them. But he does not say that he is solely for the Labor Party. With the Sack Dan Andrews one, for example, I spoke to Tosh, who runs that, and he was very upset about that system because he at no point said that he was part of that. So whether Glenn helped set that one up and then did Tosh’s preferences without Tosh realising he was part of the system or whether Glenn might have been embellishing, I cannot say. I know a lot of the times you have to look down the ballot after the first pretty much 10 to realise what the game plan is, because the first 10 are just feeder parties to try and keep whoever his person is above water, and you would then see if Labor is above the Greens and the Liberal et cetera, that is when you know which one he is working out.

Emma KEALY: And that is what Druery explained to you in the meetings?

Christopher BURSON: Yes.

Heston RUSSELL: Just to answer that question as well, in particular in that video he says that his primary focus is to support a Labor government getting in because they are not going to change the group voting ticket. That is literally in the video. He says he will take whatever actions he can to support those lower house seats for Labor because they were not going to change the group voting ticket on him. And that is the closest reference we have of him referring to Labor.

Emma KEALY: So is it surprising to you that when the Australian Labor Party gave evidence to this committee they said that they were in support of abolishing the group voting ticket, with the proviso that it would depend on what we were moving to and what the policies and arrangements might be around that? What would you say to that?

Heston RUSSELL: I think hopefully that is a by-product of things like this being exposed during the last election. I mean, there was such a hoo-ha about it when it came out that I literally do not understand how it is still not something that the public are out crying for, because I know a lot of people felt very disillusioned by that. Admittedly, it is four years to an election, so if there is a good process to see what comes next – but I mean you will get to hold them to that.

Christopher BURSON: And with that, I am also aware that a lot of the members do not have anything – there are only two of us, so we are part of the whole process from getting registered to dealing with the preferences and doing that sort of thing, whereas I know a lot of other members are solely just trying to win their electorate and they do not have any say in this. To hold all members accountable for the system is a pretty long bow to draw, because if you are not a president you do not know what is happening. If they are not the person who deals with the preferences, a lot of the time they do not know what is happening. For example, a lot of minor parties do not realise that they are literally candidates that will not get up. I told all my candidates afterwards, ‘Look, we’re going for two seats. That’s the only way it’s working. The rest of you, don’t bother doing anything because I don’t want you wasting any of your time or any of your money, because you are literally a throwaway seat,’ whereas other parties will get their people to try and get as many preferences as they can because that then helps the system elsewhere, but they are not the chosen ones.

Emma KEALY: Can I just clarify then – are you aware of any financial relationship between Glenn Druery and the Australian Labor Party, or was it more a deal around getting the Australian Labor Party into government?

Heston RUSSELL: The biggest part for the Labor Party was that Glenn could control, or said that he could influence, their preferences, whereas no-one else really was able to do that. He definitely never mentioned any financial arrangement. But even as far as us and many other minor parties trying to engage with the Labor Party during the election, we were always unsuccessful, and all those communications had to go through Glenn. So there was an informal relationship at the very least.

Emma KEALY: You have referred to the IBAC investigation. Are there any other official investigations taking place into the discussions that you had over the state election that are ongoing at this point in time?

Christopher BURSON: Not that I am aware of. I have got the emails back and forth. I had to ask them a few times. They said they had 45 days to get back to me, but then with longer cases it gets drawn out for certain things, so I had to ask them a few times. And then eventually – I have got the thing here if you want to read it –

Emma KEALY: Yes, sure.

Christopher BURSON: they said, ‘Look, we took it to the VEC, the VEC said it was fine. That’s it. We’re not going with anything else.’

Emma KEALY: Are the Victorian police investigating?

Christopher BURSON: Not that I am aware of. Apparently you are supposed to go through IBAC, and then from IBAC they then refer it to police or whoever else it is. I do wonder if I had used the exact terms of the *Crimes Act* or whatever it was that I thought it was in breach of whether they might have then passed it on to Victoria Police, or whether it is a case of them using wordplay with us – like, we did not say exactly this – even though there are 2½ hours where if they had gone over and had a look, they would be like, ‘Well, these four things seem a bit shady.’ Even when he speaks about having bank shares and then, ‘Hold off until after lunch so that I can sell all my shares before it,’ it might be a throwaway line, but it would be pretty easy to find out if on that day at 3 o’clock they made that announcement and he sold all his shares at 10 o’clock in the morning. That would be pretty obvious, I would have thought. I mean, sure it would be circumstantial, but it would be pretty easy to look into whether it needs to be looked into further. From what I have seen, they sent it to VEC and then that was the end of it.

As for your Labor thing before, at no point has he said that Labor pay him. He said the way you get their votes is through the preferences. He asked us to put someone in Ripon, Point Cook, Werribee, Cranbourne – I think there were six of them that he said. If we put someone there, Labor would then be more lenient towards giving us upper house seats. They were happy to throw upper house people under the bus so that they could win more seats down the bottom.

The CHAIR: Last question, Ms Kealy.

Emma KEALY: Who in Victoria’s upper house today were the names that were mentioned as part of the Drury deal in your discussions in the lead-up to the last election?

Christopher BURSON: He did not use the names exactly, but you had the DLP, then you had the Lib Dems and you had the Shooters and Fishers. I think One Nation at the start were speaking to him and then changed their mind; they wanted to go through Liberal and UAP.

Heston RUSSELL: AJP.

Christopher BURSON: Yes, Animal Justice Party. Who else was there? Cannabis I think was running a different game. They were the progressive alliance or something. There were two different alliances on either side, and then there was Glenn’s system. So there were three different systems going on, all trying to run the same sort of preferencing deal.

Heston RUSSELL: On the video he literally goes through them by name and by party.

The CHAIR: Thank you, Ms Kealy. I will come back to you at the end if we have got time. Mr Tarlamis.

Lee TARLAMIS: Thanks, Chris, and thanks, Heston, for coming along today and for your lengthy submission that raises a number of different points. Before I go to some of those other ones, I want to pick up on some of the questioning by Ms Kealy. All of the discussions you had had around group voting tickets and all of that was just with Glenn, correct?

Christopher BURSON: Correct. Glenn basically is like the agent who sits in the middle because other parties do not want to talk to each other. The Shooters and Fishers and the Greens might not get along, the socialists and Family First probably do not want to talk to each other and that sort of stuff. But the way it works is, because you get preferences from both of those people but they do not want to talk to each other, Glenn then is the mediator in the middle. Even though the two parties cannot stand each other, Glenn will then be able to

talk to them. He also boasts about how he speaks to other parties and then gets them to ring you and what to say to them.

Heston RUSSELL: I definitely spoke with most of the other parties, but they were all conversations that had either been prescreened or prewarned. It was a bit of a puppetry play on the conversations, and the formulas had already been established behind the scenes.

Lee TARLAMIS: In terms of Glenn, he was clearly trying to solicit people to be part of his 'family' and making a series of statements along the way, but as far as you know they were just his statements. Whether or not he actually could deliver on what he said, you would not know; it was just what he was telling you.

Christopher BURSON: There was no guarantee that he could get you up. In fact he told us that we had to play the long game and that we were going to sit this one out. We might have been able to get North-East, but I had to get out of Western Victoria because he did not want to be there. Shooters and Fishers rang me, spoke to me and said, 'It's probably in your best interest to take what he's giving you at North-East. Pull out of Western Victoria.' Whether that was their idea or whether Glenn told them to do that I cannot tell you, because I cannot do checks and stuff on their phones. Other people in VicPol can do that. I am not going to do that, and you still would not know what was said anyway. But he was very adamant that he would only get you to talk to people after he had spoken to you and them, and then he would give you negotiation tools like 'If he starts doing this, talk about his dog' or 'He's a mad Collingwood supporter'.

Heston RUSSELL: Having said that, who is the guy from Shooters and Fishers who was his sidekick? I had a direct conversation that was exactly concurring with what Glenn had said. It was not just him inventing everything; it was fully concurred by, 'Hey, we're doing this with Glenn, so you guys do this,' et cetera. There were definitely other conversations; it was not just one man.

Lee TARLAMIS: But it is fair to say that he would be saying whatever he needs to say to try and get you to do what he was trying to get you to do.

Heston RUSSELL: Absolutely.

Christopher BURSON: He would be saying whatever he can to keep the group voting ticket so he gets paid next time round, and whatever keeps the group voting ticket in was, 'Get the Labor people supported.' He literally says it in the video. He said if the Liberals said, 'We're keeping GVT,' then he would be supporting Liberal as well.

Lee TARLAMIS: But that is not the position that the Labor Party put on the record.

Christopher BURSON: No, obviously.

Lee TARLAMIS: I guess the point I am making is that he says a lot of things, but whether or not they are actually true is questionable, because he is clearly trying to get people to do things that he wants them to do.

Christopher BURSON: Definitely. He is clearly bragging. He is showboating. He is doing everything. He mentions a whole bunch of military things. I used to be a negotiator, and he is literally doing what I used to do, where you go through and you try and say a number of subjects to see what hits and what resonates with them. From there you then have wants and needs, and you have their yeses and their noes and that sort of thing. That is what he does, and he will tell you what he needs to tell you to achieve his goal, which is to continue getting paid \$1000 a week from up to 12 people that are sitting in Parliament.

Lee TARLAMIS: Your submission is quite extensive and I would love to talk about a lot of it, but I have got limited time today. It kind of fits into some of the stuff you were talking about. I wanted to touch on truth in political advertising. It is something that we have looked at in this committee before and have made some recommendations around. Is that something where you think there is more work that needs to be done as well in terms of that space?

Christopher BURSON: Yes, definitely. For starters, if somebody is going to give you 15 flyers, it can either turn you off or you can be like, 'Well, I'm already going for them, so I'm in.' But the truth I think comes into when you look at this ballot paper that is enormous and then you realise that for the group voting ticket to work I have to have 16 candidates up top. For me to then gather preferences I now need to also run another

seven people in lower house seats that I have no interest in. I have just got some random parachute candidate who turns up, and they are just doing a paper thing anyway. It was literally me and two others, I think, that were legitimate people that actually wanted to get in. The rest of them were paper candidates, and they were just doing me a favour by putting their name on there. I mean, if you look at that, that is 13 out of 16 – not a great percentage of people who are not real candidates. That is lying on a ballot paper, I would have suggested. I mean, if they got in, they would have been voted in, but that is also part of the system where Glenn is like, ‘Get people that will run for you who will then take a dive at the end of it so you can take their seat.’ That is not above board either, I would not have thought.

Lee TARLAMIS: But also in terms of campaigning from that misleading conduct, in terms of information that is being distributed through mail and other forms of advertising and stuff as well. We have misleading and deceptive conduct for businesses – people know how it operates and respect that. So something along those sorts of lines but for information dissemination at elections would help with that sort of openness. It has been done in other jurisdictions, so we could learn from what they have done there as well.

Christopher BURSON: Yes, definitely. If you look at the election, I think the Liberal Party, for example, had Dan Andrews’s face on the back. No offence, it worked really badly for you, because everyone turned up and people that did not like Dan would not go and get a note from them, because they were like, ‘We don’t want him.’ It was very deceptive to have red on the back and then have his face and then be like, ‘Oh, vote Liberal.’ They were like, ‘I don’t want that,’ and then they would walk off and grab something else. So I do not think that worked for them. It seemed a bit weird and misleading to have their colours and his face on there. But again, that is a tactic they wanted to run with. That is something they will learn. Most things seem to be shady.

Then you have got the VEC, for example. Even though it has already been signed off on by the VEC, if you go and make a complaint about someone’s pamphlets, they have to pull them. If it is two days out, you pull them, and then somebody cannot go there, because the VEC cannot be everywhere. Then they turn up, and they are like, ‘Nup, you’ll have to pull your volunteers.’ Ours are literally volunteers; others are getting paid. Ours are like, ‘Well, see you later, we’re going home.’ Then you are like, ‘Oh, it’s been approved. You can go back there.’ Old mate is not going to go back. He has already done an hour. He got yelled at and abused by people, and now the VEC are saying his thing is wrong. Then they check it and they are like, ‘No, it’s actually fine.’ It is an easy move to get rid of the one person that is handing out your flyers.

Lee TARLAMIS: I will leave my questioning there.

The CHAIR: Thanks. I was just about to cut you off, Mr Tarlamis. Thank you. Mr Farnham.

Wayne FARNHAM: Thank you, Chair. Thank you for your submission. I thank you for coming forward on this as well. I think the Victorian public have found it quite interesting, how it all works. You mentioned earlier about Druery getting financial gain to help you if you got a seat. Are you aware of the other two voting blocs, the ethical alliance or the progressive bloc, having a similar payment system, and what was the payment plan?

Heston RUSSELL: There was not any payment system for the others. They were more out of spite and against Druery. It was more about achievement. We were approached by both the ethical bloc and then others who were trying to do their own thing. It was more so a way of fighting back against the Druery system.

Christopher BURSON: The progressive bloc did not really speak to me at all. Is the ethical one the one with Aidan?

Heston RUSSELL: Aidan is the ethical bloc.

Christopher BURSON: Yes. Whereas those guys were almost aggressive, because they knew we were talking to Glenn. They were actually actively going out and telling people not to vote for us because we were part of the Glenn Druery system. Neither of them seemed to be involved with Glenn, and there was no mention of that to them. They told us to stop dealing with Glenn and to come over and help them, but they never said there was any sort of monetary system involved.

Wayne FARNHAM: You mentioned earlier that Druery was telling you, ‘Run here. Don’t run there. If you run there, we’ve got this covered.’ Did he just dictate to you clearly: ‘Run here. That’s your best chance. Don’t bother with anywhere else. I’ve got all the other regions covered?’

Christopher BURSON: Yes.

Heston RUSSELL: He even told us, like, 'I promised this seat to this person, this seat to this person,' so they become the frontrunner. They become the stack that everyone else falls into. So basically there are two seats per region, and they are all divided up with who is first in paying him his money for the family, or there is a carryover legacy – if you were elected by him the previous year – and then it is whatever else is left open.

Wayne FARNHAM: So those who got elected in the previous year – did they get preference?

Christopher BURSON: Yes.

Heston RUSSELL: They get a seat at the table, the family.

Christopher BURSON: So once you are already in there – at best he could get 12. So if he has got 12 people already involved, then there is no space for us – unless of course somebody started getting out of line and was voting against stuff that other people did not want anymore, in which case then a seat might open up. So Western Victoria, for example, they told me that Shooters and Fishers and Hinch's Justice Party, or Hinch party, had preference out there, so there was no point me running for out that way, whereas he said north-east or south would be the easiest ones for me to get up.

Wayne FARNHAM: When the Animal Justice Party gave evidence to this committee in relation to the relationship between the CFMEU, Druery and the AJP, they stated:

We were not privy to any agreement between Glenn Druery and the union.

This does not agree with the evidence you have provided today. Do you believe that the AJP misled Parliament and this committee?

Christopher BURSON: I think it probably depends on who from the AJP that you speak to, because they would not all be privy to the situation. If you look at the video, he says that the CFMEU came to Glenn and approached him and they said, 'Do you know what we're here for?' and he said, 'I suggest that you're coming to speak to me because Andy wears steelcapped boots and you want me to get him a seat at the table, and as a trade-off, you're going to get Labor to vote for me and give me their preferences.' I was not there for that conversation, that is literally just what he said to us.

Heston RUSSELL: It is dangerous for us to step into backing what Glenn has said, but that is what he said, and that is just simply the information that we have recorded. We have not validated that with the AJP or the CFMEU personally.

Wayne FARNHAM: Okay.

Christopher BURSON: He did then mention that at this election he no longer had any obligation to keep Andy in – and he is not here anymore.

Wayne FARNHAM: Was that because he went against the family or –

Christopher BURSON: Is it Michael Collins? Is he some bigwig at a union somewhere? I do not know. He said that –

Heston RUSSELL: There was some falling out with someone at the union.

Christopher BURSON: Setka and Michael Collins, I think, are the two names that I can remember off the top of my head. I might be making the Michael Collins one up. He said that there was a falling out between those two, and then because he was there, Glenn no longer had any affiliation with that whole thing and he did not need to keep Andy in, or he was not obliged to keep him there anymore.

The CHAIR: Thanks. Sorry, Mr Farnham. I am just going to move on. I am mindful of time. We need to finish at quarter to 3, and I know that Mr Ettershank has a burning question, so I will pass it over to you.

Christopher BURSON: I am happy to come back, by the way.

David ETTERS HANK: I do not know if it is burning, but I would certainly like to ask a couple of questions. Look, thank you for your testimony this afternoon, and also very entertaining viewing, I would say – great to see filmmaking skills put to good use. You talked about the need for more education with regard to the voting system. When you released this footage, I guess it would be fair to say there was a lot of publicity around group voting tickets, which you were fairly central to driving. That then brought in Antony Green and brought in a whole lot of other commentators, which I would suggest is probably a fair bit of education. I guess one question on my mind would be: if there is so much publicity about the evils of group voting tickets, why do you think it is that 92 or 93 per cent of people chose to go above the line?

Heston RUSSELL: I think it is probably a reflection of those who actually engage with media and take on that education. I do not think publicity these days is actually sufficiently measured off – how many different reporters are reporting on it. I mean, you just have to be out there handing out voting tickets at poll booths to speak to people who just do not watch the news these days. I was there literally handing out how-to-vote cards, like, ‘Chris Burson, the guy helped expose this,’ and they were like, ‘Oh, we don’t watch the news, we don’t watch the news.’ Seven out of 10 people would have said that they had never even heard about it there on the ground. So I think that is the danger of just relying on education to come from media outlets. I have an 18-year-old nephew who recently graduated from school – not in this state, admittedly – and he has never been taught the voting system. Education happens in schools, and it happens in universities. To rely on the media to educate – I think that is what the VEC is meant to be doing, the VEC sending out to people, ‘This is actually how to vote, and this is the group voting ticket; if you actually want to pick your people, vote below the line.’

Christopher BURSON: I think you will also find that if we are releasing a video and that is the only education they are getting, then that is not really a critical thinking sort of way of doing it. For example, we went through the *Herald Sun*. If we had gone through the *Age*, would it have been a different outcome? If we had gone directly to the ABC, would it have been a different outcome? Every media outlet has a different demographic. Likewise Labor and Liberal have different media outlets. Like it is not –

David ETTERS HANK: The coverage after you released that video was saturation, wasn’t it?

Christopher BURSON: It lasted three days.

David ETTERS HANK: I mean, every paper and every news outlet from Sky News on the right through to wherever you want to point to the left.

Christopher BURSON: So for example, Sky News – I was on Peta Credlin’s show.

David ETTERS HANK: Good interview by the way.

Christopher BURSON: I am surprised you saw it, because it seems to have been taken down and now does not exist anymore.

Wayne FARNHAM: No, it is still up.

Christopher BURSON: Is it? You found it again – excellent. We will have to find that.

David ETTERS HANK: Yes – use Google.

Heston RUSSELL: The biggest reference point for me was when I was there literally on the ground at the polling station handing out these tickets like Chris Burson – this guy. Seven to eight out of 10 people had not heard about the whole scandal at all, because they just were not engaged with conventional media. That was the real fascinating point for me, particularly in rural areas.

Christopher BURSON: One of the things I was doing was I had the front page of the *Herald Sun* – it had the story on there and all that sort of stuff – and I had it laminated and had it up there for people to read. People that did read the *Herald Sun* were like, ‘Oh, are you that guy?’ Like, I had literally been talking to them for 5 minutes, but until they saw it there they did not acknowledge it, and then they were happy to get involved. But then other people were like, ‘*Herald Sun*? I don’t care. I don’t read that.’ So it had nothing to do with an overall education from an unbiased view.

Heston RUSSELL: I think education also during an election period is probably the worst time because there is so much content, and a lot of people do not actually know how much of it to believe or disbelieve. Whereas completely outside of an election campaign, messaging having electoral education information – I think people would be much more susceptible to taking it on board.

David ETTERS HANK: So is it purely the transactional element of the GVT – the lack of transparency and the cash that you are talking about – that you find objectionable?

Heston RUSSELL: I just find it deceptive – you know, the simple fact that you are putting up paper candidates in order to horsetrade people for a cost and for someone who, admittedly, is exploiting business loopholes to do so. Then under the provision that you are looking to prop up the government just simply because they have agreed to not change the group voting ticket as the only policy, for me, it counteracts the entire democratic process. And if voters completely knew and understood that, then that would be great, but they do not, and the voters who did see it on the news and who were outraged are outraged. And the people that hear about this are outraged, and they are the people that you have the very difficult task of representing and making sure it is done in a very transparent way. So you know, if it feels bad – and this felt bad from the outset – and the public thinks it is bad as well, then that is why we are here.

Christopher BURSON: The payment was the biggest issue for me. I thought if you have literally got to make it a consultancy fee for \$1000 a week for the next 50 weeks because you cannot pay for it beforehand, then that sounded like he knew it was wrong, and it sounded pretty clear cut to me that it was wrong. But proving that was not going to be something I could do, because I do not have access to it, which is why I sent it to IBAC – and they do not care.

And then the second part was having candidates who were running for parties. I spoke to other minor parties and gave them a heads-up. I said, ‘You are not going to win that seat. I can get you that seat in north-east. If you want it, it will cost us 50 grand afterwards.’ I said, ‘I’m not going to take it, but if he’s going to give us a seat there, then we can do that, and then we can expose it afterwards and literally show you the transactions.’ But they did not want to do that, because they did not want to leave their party and do it. They were unaware that they were spending thousands and thousands of their own family dollars into doing something, assuming that their party was looking out for them, when the top two seats were already gone. So their own parties were being misleading, and then the fact that nobody else seemed to know about the system was strange. Then when I would speak to voters, they were like, ‘I want to put a one next to yours, and that’s where my vote stops.’ They were like, ‘I don’t want to put a one there and then have the preferences going. I want to be able to do a one, two and three, and then it stops there’ or ‘I want to do a one to 118 and it stops there’.

David ETTERS HANK: Yes, I had the same doing how-to-votes. People did not want particular votes.

The CHAIR: Mr Ettershank, I might cut you there. I am just very mindful of time. So I will just go to our last person, who is on Zoom. Mr Lambert, I know you have got a question. If you can make it short and succinct, that would be great. Thank you.

Nathan LAMBERT: I will. Thank you, Chair. Thank you, Chris and Heston. Just picking up on the paper candidates that you were discussing, whereabouts did you get the people to be the paper candidates and were any of them paid to be paper candidates?

Christopher BURSON: No, they were not. A lot of them were our members, and then I just said to them, ‘Are you happy to run as a name on a piece of paper?’ Some of them were like, ‘I might actually have a crack and see what I can do.’ I was like, ‘You’re more than welcome to try and do that.’ But other ones, I was like, ‘Sit at home and hide in your house. Don’t speak to anybody. Thanks for helping us out. We need it so we can run this system.’

Nathan LAMBERT: I thought they were friends and family.

Christopher BURSON: A lot of them were. I could not even tell you some of the names, to be honest.

Heston RUSSELL: They were members of the party. Look, we were so up-front with them saying, ‘Hey, look, this is the process. Chris and one other are our key candidates. We just literally need names on a paper.’ For me in itself the fact that you have to run someone in every region again is something that should potentially

be looked at. But we took that approach, whereas Chris said other parties literally had people campaigning out of their own dollars – to their own negative outcomes, to be honest.

Nathan LAMBERT: Great. Thank you, as others have done, for your contribution today and also that video. As you know, it came at a time when many of us were busy with other things in the final weeks of the campaign. But I think today is probably a reminder to a lot of us to revisit that footage, so thank you.

Christopher BURSON: Pleasure.

The CHAIR: Thank you, Mr Lambert. And thank you both so much for taking the time to speak with us today and also for the submission. We are out of time, so we will finish the meeting there. But as I mentioned at the beginning, you will be sent a proof copy of the transcript to check as soon as it is available.

Committee adjourned.