

# CORRECTED EVIDENCE

## ELECTORAL MATTERS COMMITTEE

### Inquiry into the conduct of the 2014 Victorian state election

Melbourne — 12 August 2015

#### Members

Ms Louise Asher — Chair

Ms Ros Spence — Deputy Chair

Ms Lizzie Blandthorn

Mr Martin Dixon

Mr Russell Northe

Ms Fiona Patten

Mr Adem Somyurek

#### Staff

Executive officer: Mr Mark Roberts

Research officer: Mr Nathaniel Reader

#### Witnesses

Ms Cheryl Wragg, and

Mr John Stratford.

**The CHAIR** — I call the public hearing to order. I welcome Ms Wragg and Mr Stratford. Thank you very much not only for your submission but for appearing before the committee and for your willingness to spell out the claims that you have made in your submission. I introduce my colleagues Mr Dixon and Ms Lizzie Blandthorn, and I am Louise Asher. There are legitimate and valid reasons for the absences of the other members of Parliament; there are conflicting upper house hearings. Do not think three members shows a lack of interest — it does not; we have had more members previously.

I advise you that what you have to say here is covered by parliamentary privilege — and I understand you have had some conversations already about parliamentary privilege. Again I warn you that anything you say outside this hearing is not covered by parliamentary privilege, which in layman's terms means it is subject to you being sued and the like. I urge you to use your parliamentary privilege very carefully and not push it beyond the bounds of this door. Could you please state your names and, if you have a business address, state your business address. Could you indicate whether you are representing any particular group or just presenting here as an individual. After you have done that, I invite you to elaborate on your submission and then the committee might want to ask you some questions.

**Ms WRAGG** — My name is Cheryl Wragg, and did you want my residential address?

**The CHAIR** — No, do not worry about your residential address. If you have a business address, give it.

**Ms WRAGG** — I reside in Moe and I am not representing any group. I am here on my own behalf.

**Mr STRATFORD** — John Stratford is my name. My business address is 12 Wallace Street, Morwell. I am here representing myself.

**The CHAIR** — Terrific. Please proceed.

**Ms WRAGG** — Firstly, we would like to thank the committee for this opportunity to present. Lisa Sinha apologises for being unable to attend today due to work commitments. She has prepared a short statement for me to read to you at the end of my comments.

I start by saying that the reason we are here, and the grievance sitting at the core of our submission, is the grand deception, the con, that occurred during the 2014 election in the Morwell district electorate. We contend that voters were grossly misled, manipulated and exploited in the Morwell district during the 2014 election. The laxity of Victoria's Electoral Act allowed that to happen. The lack of transparency and accountability measures in the act hosted the deception last year, and, unless the act is changed, will keep on hosting such perceptions.

In our submission you will find details describing the comprehensive and sophisticated hoax played out by GetUp!, Friends of the Earth, and their candidate Tracie Lund. We note that the information in our submission is as factual and truthful as we could assemble. The difficulty is that the players are not required by the Electoral Act to tell the truth or indeed to tell anything. Just on that note I would make a correction to our written submission, on page 1. In the second last paragraph, we talk about two paid campaign workers. As recently as last week we found out that there were three paid campaign workers, so there is a breach in there.

To move on, the essential feature characterising the design and rollout of the Lund campaign was the effort made by GetUp! and Friends of the Earth to hide their involvement from voters, to keep their details hidden and to fend off or shut down any inquiries. We, as co-submitters, came together to pool our knowledge and support each other because we so strongly disapprove of GetUp! and FoE's conduct during the election. That is our interest in this matter. We are here to advocate that the act be changed to stop other voters being duded by third-party organisations or indeed registered political parties. Latrobe Valley First and Voices of the Valley were the separate campaign committee vehicles run by Friends of the Earth and GetUp! during 2014. Co-submitter Lisa Sinha was a Latrobe Valley First committee member and co-submitter John was and is a Voices of the Valley member. I had the least contact with the GetUp!-FoE campaign, and my only direct contact was via the so-called community ballot process, which is quite different from the November election ballot. Unlike John, I am not a voter in the Morwell electorate,

although I live in the Moe township, which has been divided by the electoral boundary as of the recent redistribution.

Highly relevant to the misconduct we witnessed in Morwell district during last year's election are the views of Dr Colleen Lewis, adjunct professor at Monash University, who in an opinion piece published in the *Age* newspaper in October 2014, said:

What Victorians need to know, from any party fielding candidates in the forthcoming election, is exactly who is donating to them, how much they have given and over what period of time and what, if any, are the donors' affiliations with corporations/businesses and so on. This information is not available because Victoria does not have a donations disclosure policy ...

We would add to Dr Lewis's comments and concerns by asking, 'What happens when it is not even a political party doing all of this — what if it is a third-party organisation?'. GetUp! and FoE are deeply committed to closing down coal-fired power stations. All of Victoria's operating coal-fired power stations, supplying about 80 per cent or so of Victoria's electricity, are in the Morwell district electorate. When GetUp! and FoE run a candidate in that electorate, closely control the campaign and make significant financial and in-kind donations exceeding \$100 000, by our estimate, and do everything they can to keep their activities a secret from voters, what does that behaviour imply? It certainly begs the question, 'Who would Tracie Lund, MP, have taken advice from had she won office? Who would have enjoyed access to Tracie Lund, MP?'

People inside the Lund election camp have told me that they asked Tracie about this during the election and she gave a standard answer. The person who would be watching her back was Shaun Murray, her FoE-GetUp! professional campaign manager. Mr Murray is the national FoE anti-coal campaign coordinator from Sydney. We think voters in the Morwell district electorate were entitled to know that before they cast their vote, but they did not, so carefully and thoroughly was Mr Murray's, FoE's and GetUp!'s involvement concealed.

I have gone back and checked almost every edition of the *Latrobe Valley Express*, which is published twice a week, from January to December 2014. From dozens of articles about the election, in only one letter to the editor, published on 6 October 2014, did I find a Latrobe Valley First Member and local resident, Karen Thurgood, referring in passing to GetUp!'s involvement, which she describes as 'a real chance of offering an alternative to the party political system'. The letter provides little detail as to the extent of GetUp!'s support and no mention at all of Friends of the Earth. This was not a volunteered explanation, by the way, but rather damage control following a few questions being asked by other curious letter writers.

Not once did either organisation or Tracie Lund come out and tell voters the truth. Other candidates did not out her candidacy and campaign, and neither did the local media — no local media — on this matter. In the Latrobe Valley GetUp! and FoE have left behind them a culture of secrecy, deception and abuse that still continues. Over the last couple of months we have been defamed, smeared and threatened with defamation action as recently as last Friday, by Friends of the Earth, for submitting to this inquiry and also a previous federal house inquiry.

In closing, this committee and your respective political parties are facing the identical dilemma that confronted us. We empathise in that it is not easy to do the right thing, particularly when you have to put aside your personal interests and cop some flak. Amending the Victorian electoral act to require transparency and accountability from third-party organisations and political parties to require the declaration of donations and support to candidates is the right thing to do, and we hope that our example helps embolden and inspire members of this committee to recommend such changes to the Parliament.

That is the end of my comment, and then I have a short statement by Lisa Sinha.

**The CHAIR** — Please proceed with that.

**Ms WRAGG** — Statement by Lisa Sinha, co-submitter, ex-Latrobe Valley First committee member and selector for Latrobe Valley First community ballot. This is in Lisa's words:

My concerns are:

- (1) Shaun Murray was an FoE employee paid three days per week to work in the Latrobe Valley between February and June 2014. At no time was this made clear. He presented as having been involved with FoE, that he was not an employee and was self-funded to be in the Latrobe Valley.
- (2) To the best of my knowledge, three people were given an allowance of \$500 per week between July and the election in November. This was for the purpose of them working on the election campaign of Tracie Lund. This was kept a secret from the community and I was not aware of this until after the election. Whilst presumably paid from the bank account of Latrobe Valley First, the three people were not properly employed by Latrobe Valley First.
- (3) I was advised after the election that GetUp! donated \$30 000 to Latrobe Valley First. During the campaign I was only advised that GetUp! was supporting the community-nominated candidate mail-out. I was a member of the committee, but at no point were financial reports ever provided to members. All negotiations between GetUp! and Latrobe Valley First were done very privately by Shaun Murray
- (4) The community ballot was proposed as a genuine move for the community to have a role in selecting an independent candidate. Therefore, I supported the idea and participated on the selection committee; however, people were bullied into running as dummy candidates. Lack of time was continually cited as a reason to run it in a manner which was in fact a fake.
- (5) I was excited to support something I felt initially to be grassroots and to support a genuine independent candidate; however, hidden use of funds, Shaun Murray bullying people and secrecy led me to extreme disillusionment. I have since seen community members threatened for speaking of their concerns about the process, which saddens me further.
- (6) I would like to see all donations by organisations for independent candidates openly declared so that there is a genuine transparency for the future and so that communities are not deceived.

That is the end of Lisa Sinha's statement.

**The CHAIR** — Thank you very much. Mr Stratford, did you want to add briefly to that before questions?

**Mr STRATFORD** — Yes, only briefly. I was a member of Voices of the Valley. I am not a political person. I thought it might have been a change for the good. I live in probably the closest house in Morwell to where the fire was and to where the freeway let go. We have not had very good political representation up there in the past and I, as Lisa said, was very excited about being a part of something that looked like it might change things. Shaun Murray, from when the fires were on until the election, was part of Voices of the Valley. He was not a member, but he was at every meeting and he sort of pretty much ran things. He was a pretty switched on sort of bloke.

We were looking for an independent candidate; it was something that was talked about and I was supportive of that idea. Tracie Lund turned up to a meeting. Tracie is a very likeable sort of person; she has got a lovely smile; she is a very pleasant person. I had suggested to Shaun that maybe this might be our candidate, and Shaun at that time, which I reckon was maybe in early July or late June, said, 'Oh no, we have got that under control'. I said, 'Oh, this is moving a bit quicker than I thought it would'. And it was only a matter of weeks after that the Latrobe Valley First and a Latrobe Valley First meeting was announced. I went along to the kitchen table conversation. It surprised me how organised this show appeared to be, and I actually became a little bit apprehensive seeing so many people there who I did not recognise as locals. But then it was only a week after that that I got a phone call from a lady called Marcel Iren asking about what I was going to do with these kitchen table conversations, and whether I was going to run one. When I asked her who she was and what she was doing tangled up in this, she said, 'I am just from Friends of the Earth up here giving Tracie a hand with her election'.

I said to her, 'Who is paying you? Where is this money coming from?'. And she said, 'Well, that's got nothing to do with you'. I said, 'It actually has. We are the ones who are supposed to be voting for Tracie', to which she just said, 'Oh, look, Tracie has got supporters all over Australia'. She would not tell me who was paying her, and that is when I became aware that it was pretty much FoE, or what appeared to be FoE, with Shaun Murray, Marcel Iren and apparently this lady, Ann Pulbrook — I have met Ann, but I did not realise she was FoE — pretty much running the show. That is when I pulled away from it. I am really surprised that an individual or an organisation is not obligated to say where they are getting their funding

from, because it was a scam. Nobody in the valley would have voted for Tracie if they knew it was FoE — not a hope in hell. We cannot afford to close the power stations tomorrow. I do not think I can add a lot more than that.

**The CHAIR** — Again, thank you very much. I know you have had a difficult time over this, if I can put that in a non-judgemental way, and the committee has received correspondence from Friends of the Earth as well, which is already on our website in the sense of fairness on that. Thank you for coming along to make this presentation. It is very self-explanatory in terms of what your position is, but I just wanted to ask if there are any questions?

**Mr DIXON** — No, I think it is made very clear.

**The CHAIR** — I think it is incredibly self-explanatory. You have recommended some changes to the Electoral Act, which would require a fair degree of finessing obviously, but that is our problem not your problem. You have articulated a problem to us in the way that it is run. I really do thank you for the very candid way — and blunt way, which I like — that you have actually explained what the problem is, and obviously it will be up to us and the full committee to deliberate on your evidence and your submission, and to decide whether we wish to recommend changes to the Electoral Act to the government.

I just advise you that Hansard will send you a transcript of this particular hearing, and again if you think there are some errors in fact you are free to make those corrections, but obviously you cannot change the evidence that you have given to the committee. It is one thing for political parties to come to these hearings and give evidence, because they are all professionals and we are all professionals, it is quite another thing for members of the public, particularly after they have had a pretty difficult time over it to come and give evidence, so we greatly appreciate your contribution.

**Mr STRATFORD** — I did not realise it was that obvious.

**Ms WRAGG** — Thank you.

**Ms BLANDTHORN** — It was explained very well.

**Witnesses withdrew.**