



CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF INVESTIGATIVE HEARING

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

File No: CO-16-1664

HEARING NO: 17/0001

DAY 3 – FRIDAY 21 APRIL 2017
(DURATION: 22 MINS)

20

Copies of this transcript must not be made or distributed except in accordance with any order made by the presiding officer concerning publication of these proceedings.

LEGEND

PO Presiding Officer – ALAN MACSPORRAN QC
CA Counsel Assisting – GLEN RICE QC
30 HRO Hearing Room Orderly – ISABELLA PATTON
W Witness – KYLIE STONEMAN
LR Legal Representative – E J BRADLEY with Mr TRIM, instructed by Gadens

- CA I call Councillor Kylie STONEMAN.
- LR Commissioner, I might take the opportunity to announce my appearance with Mr TRIM for Councillor STONEMAN. I'm instructed by Gadens.
- PO Thank you.
- 10 Ms STONEMAN, thanks for coming. Do you have any objection to taking an oath on the Bible?
- W No.
- PO Thank you. Would you swear the witness in, please.
- HRO Can you please take the Bible in your right hand and repeat after me. The evidence.
- 20 W The evidence.
- HRO Which I shall give.
- W Which I shall give.
- HRO In these proceedings.
- W In these proceedings.
- 30 HRO Shall be the truth.
- W Shall be the truth.
- HRO The whole truth.
- W The whole truth.
- HRO And nothing but the truth.
- 40 W And nothing but the truth.
- HRO So help me God.
- W So help me God.
- HRO Thank you. Please be seated.
- CA Is your name Kylie Ann STONEMAN?
- 50 W It is.
- CA Ms STONEMAN, you're a Councillor in the Ipswich City Council?
- W Yes.
- CA You're appearing today I think in response to an attendance notice?

- W Yes.
- CA Can I show you this?
- W Yes.
- CA Is that a copy of the notice you received?
- 10 W Yes, that is correct.
- CA I tender that.
- PO Exhibit 61.
- CA You were first elected in the March 2016 elections?
- W Yes.
- 20 CA Prior to your being elected, you worked in the office of Mr NEUMANN MP for a number of years; is that right?
- W That's correct.
- CA How long, Councillor STONEMAN?
- W I started in early March 2008.
- CA In what capacity?
- 30 W At that stage, a constituent liaison person.
- CA Did your role change in his employment over the years?
- W Yes, over the years it did, so community engagement, and then diary and office manager.
- CA You made a decision, I think, in the course of 2015 that you would contest a local election?
- 40 W Yes, that's correct.
- CA What prompted you to make that decision?
- W I'd been a member of the local community for a long time. I'd been involved with P&Cs, a number of things, before I started with Shayne's office. I think it was just time for me to get out into the community and represent them.
- 50 CA At what point did you make that decision that that's what you would do in terms of the election held in March 2016?
- W Yes, so it was early. It was about early May 2015.
- CA Is that when you made your decision?

W Yes.

CA Did you make that known publicly?

W Yes.

CA In what way?

10 W I made some media releases and also went on to social media.

CA Facebook?

W Yes.

CA A lot of councillors use Facebook?

W Yes.

20 CA To make announcements and so forth?

W Yes.

CA Do you do that also?

W Yes.

CA So your candidacy was known from May 2015?

30 W Yes.

CA Did you set about campaigning, so to speak, from that point?

W Yes - from a social media side of things, yes.

CA Doorknocking, that kind of thing?

W I didn't start that in May, no.

40 CA Why not?

W Because I didn't have time.

CA Okay, because you were still in employment?

W That's right.

CA Well, at what point did you leave Mr NEUMANN's office?

50 W It would have been just before Christmas, when the Christmas break was, and then from there - so I had leave from January up until the election.

CA To campaign full time?

W Yes.

- CA And that's what you did?
- W Yes.
- CA You have been a Labor Party member, have you not?
- W Yes.
- 10 CA Since about, what, 2007?
- W 2007.
- CA You conducted your campaign as an independent candidate; am I right?
- W That's correct.
- CA That is to say, not party endorsed?
- 20 W No.
- CA When you interfaced with electors, either personally or on some kind of social media, did you promote yourself as an independent candidate?
- W There was definitely a distance between running as an ALP person. I didn't hide the fact that I was an ALP member.
- CA You say you didn't hide it. Did people ask you about it?
- 30 W Sure, yes.
- CA And you told them?
- W Yes.
- CA What, in your view, is the content of being independent when you're known to be a Labor Party member?
- 40 W I would dare say that I wouldn't have been independent if ALP were paying for the campaign, or providing support for the campaign, then I couldn't possibly call myself independent.
- CA You didn't get support of that kind?
- W No.
- CA You got some assistance from Mr NEUMANN, your former employer, during the campaign and on election day?
- 50 W Yes, he was supportive.
- CA Supportive in a general way, firstly, I suppose?
- W Yes, of course.
- CA And more specifically, on election day, what support did he give you

on election day?

W He handed out for an hour or so, I think, yes.

CA When you say "handed out", handed out, what, your How to Vote Cards?

W That's right.

10 CA At how many locations, do you know?

W I really couldn't tell you.

CA How did that come about? Did you ask him or did he volunteer?

W He volunteered.

CA He told you he was interested--

20 W Yes, of course.

CA --and would come and do that?

W Yes.

CA And he did?

W Yes.

30 CA Do you know how many booths he handed out cards at for you?

W I'm sorry I wouldn't - I wouldn't know.

CA All right. He came to your campaign launch, I think?

W He did.

CA Gave you some modest donation also?

40 W Not a donation as such. So he paid for some tickets to come to the launch and he also bid on an auction item.

CA Was that the extent of what would qualify as a donation in your case?

W Yes.

CA Did you have volunteers helping you at booths on election day?

W I did.

50

CA How did you source them?

W So I asked my family first, and then I had a number of people that were ALP members that wanted to assist me.

CA People who - were they known to you?

- W Yes, definitely.
- CA So what was the criteria - the fact that they were Labor Party members who could be expected to make themselves available to you, or were they personally known to you?
- W Personally known I would say was the criteria, yes.
- 10 CA So how do you actually go about marshalling a sufficient number of people?
- W Asking lots of people.
- CA Just ring them up, one by one?
- W Yes.
- 20 CA Is that what you did?
- W Pretty well.
- CA Do you know whether some of the people who assisted you as volunteers on the day also assisted other candidates?
- W They probably would have.
- CA Was there any arrangement that you were privy to for that to occur?
- 30 W No.
- CA Can I ask you this: do you think that being an ALP member, receiving a kind of donation from a Labor MP and using volunteers, at least some of whom were party members, served to erode your presentation of independence as a candidate?
- W It did as far as the media did portray that, and other people that were running against me portrayed that, but, no, I don't believe that that was the case.
- 40 CA Does the fact of complaint suggest to you that there was a perception of that erosion?
- W Yes, well, I think there's a perception of all sorts of things. It depends on which side you're on.
- CA Do you have a view on whether candidates should really be required to disclose their links to political parties in the course of a campaign?
- 50 W Sure, why not.
- CA There's no formal requirement for that, is there?
- W Not that I know of.
- CA Just a tactical one?

W Sure.

CA You also had a joint How to Vote Card, I think, with the Mayor, Mr PISASALE?

W That's correct.

CA How did that come about?

10 W I contacted Paul when I decided to run and asked him if I could use his How to Vote on my How to Vote. I was running against an incumbent member, so I was aware that the incumbent member probably would have had his How to Vote with Paul, so-

CA So you wanted it, too?

W Yes.

20 CA He's very popular, isn't he?

W Sure.

CA Is that advantageous to you, to have his image on your How to Vote Card?

W It was probably more so to negate what the incumbent member would have used.

30 CA If your opposition had it, you wanted to have it, too?

W That's right.

CA Could I just show you this How to Vote Card.

W Sure.

CA That's a copy of it?

40 W Yes, that's correct.

CA I tender that How to Vote Card.

PO Exhibit 62.

CA What was Mr PISASALE's response when you approached him?

W He said that he couldn't stop me.

50 CA Was there any cost sharing involved?

W No.

CA You paid for it?

W Yes.

- CA As a voter might look at that, do you accept that a voter could think there's cross-promotion as between you and him?
- W People did ask me if I was supporting the Mayor, and I did say to them yes. I believe he was the best candidate for Mayor.
- CA So your support was genuine?
- 10 W Yes.
- CA Just to change the subject a little bit, the question of donations.
- W Sure.
- CA You had an interview with Commission investigators, I think, a little while ago.
- 20 W That's right.
- CA One of the things I think you told them was that you wouldn't take a cash donation from a developer.
- W No, that's a personal thing, but yes.
- CA Why?
- W Just because that's my personal view.
- 30 CA Well, I'm asking what it's based on. Why do you hold that view?
- W It's just - sorry, it's just one of my views.
- CA Well, how do you think that taking a cash donation from a developer could impact on your duties?
- W I don't think it could as such. I think that there's mechanisms in place to stop that from occurring.
- 40 CA Such as?
- W So when it comes to an application that's before council for a development, it's not just one person that has a say; it's a number of people that have a say in it. So I think that the mechanisms in place are supportive of making sure that there's nothing amiss going there. But as far as I'm concerned, on a personal basis, I wouldn't take a donation from a developer.
- 50 CA Do I take it you didn't want to even put yourself in a position of having to make a declaration of potential conflict of interest?
- W I don't think it was necessarily for that reason. It's just a personal view.
- CA You, I think, expressed even some reservations when you were speaking with Commission officers about having received a bottle of champagne from a developer?

- W That's correct.
- CA But you made use of it, anyway?
- W I did drink it.
- CA In terms of information, you were a new candidate, being your first election in 2016?
- 10 W Yes.
- CA Did you receive information from the Electoral Commission about responsibilities as a candidate?
- W I read a fair bit online, but I did receive a USB stick when I nominated.
- CA It had some guides on it?
- 20 W I believe so.
- CA Did you have a look at it?
- W Yes, I did.
- CA And looked online as well?
- W Yes.
- 30 CA For the same material or different material?
- W I read a lot of material throughout the time, so I think most of it was the same.
- CA Perhaps you'd say, as a new candidate, what you felt about the quality of information that was being offered to you by the Electoral Commission?
- W It was a lot of information, so--
- 40 CA Enough or too much?
- W I would say enough.
- CA Was it helpful to you?
- W It could have been. I don't remember. I did read it, but - yes.
- CA You had to complete, I think, a disclosure return--
- 50 W Correct.
- CA --in relation to donations that you received. Did the information that you received from the Electoral Commission give you enough detail about what kind of information was to be included on that return?

- W I actually had to send an amended one because I hadn't used full names, so I would tend to say, no, maybe there isn't enough direction on the form.
- CA Speaking as a new councillor, you're doing this disclosure return for the first time, did you consult the Act as to what kind of information was required to go in it as a matter of law?
- 10 W No, I did not.
- CA Did you take any advice from anyone, legal or otherwise, as to what level of information had to be included?
- W I did contact the Electoral Commission just to talk to them about the amounts that needed to be disclosed in relation to, you know, a ticket sale having to be declared, yet the full price having to be declared as opposed to actually the profit. So they don't take out - you don't take out the amount that it actually cost you to receive that money.
- 20 CA Well, in your case, the several donors from whom you received qualifying gifts were in fact individuals; correct?
- W Yes.
- CA That is to say, persons, not through some vehicle such as a trust, or some kind of fund?
- W No, I don't believe so. I have declared some money from Neil HENDERSON, who was with The Services Union there.
- 30 CA That's the evidence, Commissioner.
- PO Thank you. Do you have any questions?
- LR Commissioner, I might just ask Councillor STONEMAN to clarify something.
- 40 Councillor, when you were asked about donations that you received, and I think it was in the context of donations from Mr NEUMANN, you said it was not a donation as such.
- W Mmm.
- LR Could you explain what you mean by that?
- W Well, just basically - to me really, at the end of the day, a donation is a profit amount or an amount of cash that you're given to help you run your campaign, whereas the items that I had to disclose were actually payments for tickets, or payment for an auction item. It wasn't necessarily a bundle of cash that was handed over to say, "Here, use this for your campaign."
- 50 LR Was that something that you needed clarification of from the Electoral Commission when you read the form?
- W As far as the ticket, yes. As far as the tickets were concerned, yes,

definitely.

LR Would you have found the process of filling out the return easier if there had been more information about examples, for instance, of typical fundraising activities and how to account for them?

W Yes, yes, yes, and definitely - yes, definitely examples would have helped. And also I think maybe a description line on that disclosure form, so you could actually say what the amount was.

10

LR You won't have seen it because you were outside, but we all saw earlier Mr NEUMANN's return, and in that there is a column for a description or details. Do you think it would be helpful if there was a similar column on the candidate's return?

W Yes, definitely, I think that would be great.

LR That's all, Commissioner.

20

PO Thank you very much.

Nothing arising, Mr RICE?

CA No, thank you.

PO Thank you for coming, Ms STONEMAN. You're excused.

W Thank you.

30

40