

Record of Interview

CRIME & MISCONDUCT COMMISSION
No. 2005-5 Date 18/10/05
IN THE MATTER OF:

TAPE NO: 1 (of 2)

OP GRAND

DATE: 29/09/05

EXHIBIT No. 92
..... Clerk

PLACE: ROBINA

TIME COMMENCED: 11.10 AM

TIME CONCLUDED:

INTERVIEWEE: SUSAN LOUISE DAVIES

INTERVIEWER/S: DETECTIVE INSPECTOR KENNETH BEMI

LEGAL OFFICER: THERESA HAMILTON

RE: OPERATION GRAND

FILE NUMBER: MI-05-2482

Complainant: OPERATION GRAND
Subject(s): OPERATION GRAND
Investigator: DANIEL BOYLE
Statement Of: SUSAN LOUISE DAVIES
Legal Officer: THERESA HAMILTON
File Number: MI-05-2482
Directory :

121
122 SD Ah when you say knowledge I can certainly tell you as much as I know.
123
124 KB Sure.
125
126 SD Philosophical points I'll struggle with because Brian and I didn't talk philosophy about
127 this.
128
129 KB Sure. Alright um were you aware that a fund had been set up for candidates?
130
131 SD Yes.
132
133 KB Can you tell me the name of that fund?
134
135 SD Not exactly, I'd be guessing.
136
137 KB Who administered the fund?
138
139 SD Hickey Lawyers.
140
141 KB Who contributed to it?
142
143 SD Ah ah I can't tell you everybody who contributed off the top of my head.
144
145 KB Just the people that you're aware of.
146
147 SD It was local um business people who made a contribution.
148
149 KB Can outline who those business people are?
150
151 SD Well I'd have to go back through these emails here to pull them out.
152
153 KB At this point in time just from your own independent recollection can you outline who
154 they may be.
155
156 SD If you give me five minutes.
157
158 KB Sure.
159
160 SD I'll look through here and I'll be able to tell you.
161
162 KB Alright we might just leave that for the time being.
163
164 SD Okay.

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165
166 KB Can you tell me whose idea was it to set up this fund?
167
168 SD No I don't know whose idea it was initially I came into it ah when Brian had instructed
169 me that he had a role where he'd speak to certain business people on the Gold Coast to
170 obtain monies to put into the fund.
171
172 KB Was any funds from the Ray Group deposited into the fund we're talking about?
173
174 SD I can really remember but I imagine so, I imagine we put in \$10,000.
175
176 KB Can you recall that or.
177
178 SD I I'll have a look back through here and I'll tell you. Can we stop the tape for a sec?
179
180 KB Sure. The time now is 11.21am this interview is now suspended.
181
182 KB 11.22 am this interview is now resumed. You had the opportunity just to have a look
183 through some of the material that you collated that was sent to the Crime and Misconduct
184 Commission and you've come across a list of donors.
185
186 SD Yes.
187
188 KB For the record could you just outline who they are?
189
190 SD Ah City Pacific, all these people gave ten thousand dollars as far as I know, City Pacific,
191 Devine Group, John Fisk, Great Southern Land, Ingles Group, Nicom ah Malagenie
192 Investments gave thirty thousand, Raptis back to ten thousand, Ray Group ten, Roche
193 Group ten, Stockland ten, Sunland ten and Villa Wold ten. That was the latest that I knew
194 I don't know if there's a definitive list.
195
196 KB I think I asked you before who actually, who organised the establishment of the fund.
197 Who actually, who actually set it up?
198
199 SD Yeah I don't how it all came together but the fund was managed by Hickey Lawyers.
200
201 KB They're down on the Gold Coast here.
202
203 SD Yes.
204
205 KB Do you know what candidates accessed that fund at all that was set up?
206

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207 SD Um I don't, because it went into Hickey Lawyers account and that trust account, the
208 funds were dispersed um on the authority of David POWER and I wonder if it was Sue
209 ROBBINS they dispersed the funds as they saw fit.
210
211 KB How were you aware that David POWER and Sue ROBBINS were responsible for the
212 dispersing of the funds?
213
214 SD Ah because there's an email amongst these records that tell me that.
215
216 KB Did you have any personal contact at all with either David POWER or Sue ROBBINS?
217
218 SD Oh nothing at all really other than to ring David's office and would you call Brian or vice
219 versa but nothing else.
220
221 KB Did you....
222
223 SD Same with Sue but nothing, I wasn't privy generally to their conversations cause I was
224 out there rather than in here.
225
226 KB Did you yourself make any arrangements for them to access the funds at all?
227
228 SD No.
229
230 KB And I asked you before were you aware of the fund but you said you'd only be guessing.
231
232 SD Yeah.
233
234 KB What would that guess be?
235
236 SD Um there's an email in here somewhere can we stop the tape and I'll have a look if you
237 like.
238
239 KB Well we can keep it going.
240
241 SD It was something I'd just be guessing.
242
243 KB Well we might be able to refer to that bit later on when you go through em.
244
245 SD Okay.
246
247 KB And are you aware how the funds were actually distributed?
248
249 SD No.
250

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251 KB Are you aware who requested the Ray Group here to contribute to the fund?
252
253 SD I don't know how it started.
254
255 KB Who was the liaison or contact person here for the fund?
256
257 SD Ah you mean who was following up?
258
259 KB Yes.
260
261 SD Oh Brian or yeah Brian had the running obviously, I was assisting with what he was
262 doing.
263
264 KB Are you aware if the Ray Group here collected donations on behalf of any other persons
265 or companies to deposit into that fund?
266
267 SD Oh what do you mean by that, that funds came via here and then were sent out?
268
269 KB Yes.
270
271 SD No. No none came here they just went to the trust account that Hickey Lawyers had set
272 up.
273
274 KB So you're sure on that point that no funds actually came here?
275
276 SD Yeah.
277
278 KB Are you aware of who the candidates are that actually accessed those funds?
279
280 SD No ah Sue ROBBINS and David POWER had the running with that.
281
282 KB Do you know what their role was?
283
284 SD No.
285
286 KB Do you know of any other candidates who may have been involved in either accessing the
287 funds or the running the administration of the fund?
288
289 SD As far as I knew it was only Sue and David who administered it.
290
291 KB And you're not aware of any other candidates that actually accessed it or?
292
293 KB No, no they.
294

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339 KB Under what circumstances do you know him?
340
341 SD Um Chris was the person in the advertising agency that was running the campaign for the
342 council elections.
343
344 KB He works for Quadrant.
345
346 SD Yes.
347
348 KB What's his position there are you aware?
349
350 SD Oh I don't know.
351
352 KB Do you know what the purpose of this fund was?
353
354 SD Ah, that's getting too philosophical for me um there is a statement or there's an email that
355 Brian sent to somebody whose name escapes me at the moment in there, that talks about
356 that.
357
358 KB Ddi you ever observe Councillor David POWER attend here and meet with Brian at all?
359
360 SD No. no.
361
362 KB Not in person. What about Councillor Sue ROBBINS?
363
364 SD No.
365
366 KB Any other councillors that actually attended here to meet with him?
367
368 SD No.
369
370 KB That you're aware of?
371
372 SD No and I say no because I don't even remember any names now.
373
374 KB Any candidates at all that you're aware of that may have attended here to meet with Mr
375 RAY?
376
377 SD No. No.
378
379 KB Do you know a person by the name of Lionel BARDEN?
380
381 SD Yes.
382

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426 KB If I was to suggest to you it could have had a couple of names such as the Lionel Barden
427 Trust Fund or the Common Sense Fund.
428
429 SD Well Common Sense Fund doesn't do anything for me. Obviously now that you've
430 mentioned the name Lionel BARDEN perhaps of been that but it also might have been
431 something like well I can't remember, I can't remember. If you can find a memo to or
432 from Hickey Lawyers there I think it will tell us.
433
434 KB So as far as you were aware Councillor David POWER and Sue ROBBINS actually had
435 control of the funds.
436
437 SD Yes, it was on their authority that funds were dispersed.
438
439 KB And can I ask, how do you understand that?
440
441 SD Ah because there's an email in there to or from Tony HICKEY that talks about that.
442
443 KB And you're not sure whose idea it was to set it up, we've already canvassed that.
444
445 SD No.
446
447 KB Do you know a person by the name of Noiri CHRISTENSON, does that name ring a bell?
448
449 SD I've heard the name but I couldn't tell you in what context.
450
451 KB She was a candidate in the March 2004 elections on the Gold Coast.
452
453 SD Mmm okay.
454
455 KB Does that assist at all?
456
457 SD Yep yep.
458
459 KB Can you tell me anything about her, her involvement with the Ray Group?
460
461 SD Oh, I can't, I mean there must have been very little if any.
462
463 KB Once again we can refer you to relevant email.
464
465 SD Okay ...yep.
466
467 KB We'll go into that very shortly. But it's just to get your independent knowledge.
468
469 SD No that, that's fine.

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470
471 KB at this stage. Have you had any dealings with Tony HICKEY at all from HICKEY
472 Lawyers?
473
474 SD Oh he's been the company lawyer for many years.
475
476 KB What about in relation to the fund at all the trust fund or the ah the fund administered by
477 Hickey?
478
479 SD I used to speak to Tony's assistant to see if funds had arrived.
480
481 KB Just in relation to your duties here from being a personal assistant to Brian. With emails
482 that were sent out would you send emails out on Brian's behalf sometimes.
483
484 SD Yes.
485
486 KB And would you send them out in your name or Brian's name?
487
488 SD Well it all depends what I was doing um generally I knew whether he wanted them to go
489 in his name or not for the little things they go in my name for the important things they go
490 in his.
491
492 KB So in actual fact you would send some emails in your name and other times it would
493 appear on the email from Brian RAY to whomever and you could have sent that.
494
495 SD Yes.
496
497 KB Did the Ray Group here have any involvement in the by-election that was held upon the
498 death of Sue ROBBINS, that was in January 2005 this year? In other words did the Ray
499 Group have any involvement with organising any funds for candidates or the
500 establishment of a trust fund?
501
502 SD No.
503
504 KB After the elections were held in March 2004 were there continuing collections from
505 donors in relation to monies to be put into this trust fund?
506
507 SD I can't remember exactly but possibly. Ah yes possibly.
508
509 KB And was there any reason for that?
510
511 SD Um perhaps because there was a shortage of funds to pay for the work that Quadrant did
512 and we needed to get the funds in to get their balance back to zero.
513

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602 the sent emails by yourself that were grouped sent emails by Sue DAVIES I think it was.
603 You had a read through those.
604
605 SD I did.
606
607 KB Are they true and correct to the best of your knowledge?
608
609 SD Yes.
610
611 KB They were sent by you
612
613 SD Ah if they were in that section of it yes.
614
615 KB Did you have the opportunity to look at sent emails by Brian RAY at all?
616
617 SD Ah yes.
618
619 KB Could you tell me which ones of those if any were sent by yourself as opposed to Brian
620 sending them?
621
622 SD If they were kept in the order that I gave them to you.
623
624 KB Yeah/
625
626 SD If it said that Brian sent them then that's true he did.
627
628 KB Right.
629
630 SD But if they were out of order I wouldn't know if some of them came from my computer or
631 his.
632
633 KB So it was the case that you would you could send emails from his computer.
634
635 SD Yes.
636
637 KB And you obviously would send emails from your computer.
638
639 SD Yes. As if they came from Brian.
640
641 KB And you said earlier on that you were the person who collated all this material as a result
642 of a Notice to Discover being served on the Ray Group. You collated it and it true and
643 correct to the best of your knowledge.
644
645 SD Yes.

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646
647 KB And it was subsequently sent in to the Crime and Misconduct Commission in Brisbane.
648
649 SD Yep.
650
651 KB If I can just commence by referring you to an email that appears to have been sent from
652 you to Tony HICKEY on the 24th of the 11th 2003, that would be towards the back. Are
653 these in date order that you're aware of at all or?
654
655 SD Oh they should be. Ooop.
656
657 KB Gee sorry.
658
659 SD No problem, I'll get a, there's so many repeats but yeah that looks like date order, what
660 date are you looking for?
661
662 KB The 24th of November 2003.
663
664 SD And it was in this section was it.
665
666 KB An email from yourself to Tony HICKEY.
667
668 SD Oh this is it's out of order oh not it's not, there's a little tab missing so it'd be in my sent
669 items.
670
671 KB Yeah.
672
673 SD Ah I don't know.
674
675 KB I might just.
676
677 SD Yeah I'll get a little thing.
678
679 KB Thank you.
680
681 (sound of pages turning)
682
683 KB Thanks for that.
684
685 SD Not a problem.
686
687 (sound of footsteps and pages turning)
688
689 KB I just can't locate it in the folder but see if this.

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777 KB Is there, under what circumstances would you have seen it?
778
779 SD Oh just because Brian and I went through his emails every day.
780
781 KB Did you have to take any action in relation to that email that you can recall?
782
783 SD Oh not that I can recall.
784
785 KB And this is involving yourself in relation to a notation by the looks of it. On the 15th of
786 the 1st 2004 Hickey Lawyers file note regarding conversation with Sue DAVIES of the
787 Ray Group with yourself at 9am on that date. Sue rang said she had deposited ten
788 thousand dollars into a trust account for the Gold Coast City Council campaign fund. So
789 were you, as part of your duties were you responsible for depositing funds into that
790 account at all?
791
792 SD Ah Brian would have said put the funds in and I would have.
793
794 KB Do you know where that ten thousand dollars would have come from, who contributed?
795
796 SD Oh I imagine it would have come from a Ray Group company?
797
798 KB No other companies that you know of?
799
800 SD No.
801
802 KB And how did you actually go about depositing that amount?
803
804 SD I don't remember, I'd have to have a look.
805
806 KB Would it likely to have been by cheque?
807
808 SD Possibly, either cheque or electronically.
809
810 KB Would you be able to check that?
811
812 SD Yeah.
813
814 KB Alright we might, would you be able to check it now, would it take long or?
815
816 SD Ah our accountant is away but I'll get one of the other girls to have a look.
817
818 KB Sure.
819
820 SD So it was the 15th of January 2004?

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821
822 KB Yeah thank you.
823
824 SD What's, oh that's your id number there is it. Okay.
825
826 (sounds of paper shuffling in the background)
827
828 KB The next item is an email dated the 28th of the 1st 2004, it's an email from yourself on
829 behalf of Brian RAY to Kevin MILLER. Do you know who Kevin MILLER is?
830
831 SD No.
832
833 KB Sent at 12.07 pm it's got subject election, sorry to do this to you but we are in full swing
834 with our campaign behind David POWERS and Sue ROBBINS to get a coherent group of
835 Councillors into the Gold Coast and now desperately need a cheque for ten thousand
836 dollars, if you won't mind forwarding it to Hickey Lawyers trust account and you provide
837 details of the account number, of course if you've had a change of heart please let me
838 know. Can you recall sending that email at all?
839
840 SD Yeah he might have a company that started with S.
841
842 KB You don't know who that company is?
843
844 SD I can't think at the moment.
845
846 KB And to send that email out, whose instructions were you acting under?
847
848 SD Oh Brian mmm.
849
850 KB So you didn't know the intricacies at all of the arrangements of the funds?
851
852 SD Didn't know intricacies no.
853
854 KB You're just doing what Brian asked you to do.
855
856 SD Mmm hmm.
857
858 KB It's got here with our, we are in full swing with our campaign behind David POWERS
859 and Sue ROBBINS, do you know what that campaign was at all, don't know the details.
860
861 SD No.
862

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907
908 KB This email here that I've just referred to that was sent on behalf of Brian RAY should that
909 be under, when you collated it was that under your sort of sent emails or Brian's do you
910 know, how would you have collated that?
911
912 SD I don't know the answer that, I'm surprised that you put in on behalf of Brian RAY.
913 Maybe it come from mine I don't know.
914
915 KB Okay.
916
917 (shuffling pages)
918
919 KB This is the email here that I found under your sent emails that you provided.
920
921 SD Mmm hmm.
922
923 KB And it's to Russell McCART from Brian RAY and if you can just have a read of that,
924 that's the email I've just discussed with you.
925
926 ? (ui) done by deposit (ui)
927
928 SD Oh okay.
929
930 KB You've just been handed a piece of paper in response to when I asked you how the
931 deposit of ten thousand dollars was made into the Hickey Lawyers and that was by meand
932 of electronic funds transfer.
933
934 SD Yeah.
935
936 KB Thank you for that.
937
938 SD Ah now what was the question here?
939
940 KB Can you recall sending that email?
941
942 SD No not specifically but I suppose I did if it's in the section of Sue sent email.
943
944 KB That's true and correct to the best of your knowledge?
945
946 SD Yes.
947
948 KB There's another email sent that was dated the 5th of February 2004 at 1.22 pm and it was
949 on behalf of Brian or from Brian RAY to David DEVINE and the message was sent,

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994
995 (pages shuffling)
996
997 KB There's an other email here from Brian RAY to Chris MORGAN at Quadrant dated the
998 12th of February 2004 sent at 3.58 pm Brian RAY writes, Chris I spoke to David POWER
999 this afternoon, he's chasing sixty thousand dollars in contributions. Tony and I are also on
1000 the job and we should liaise tomorrow afternoon. Sorry that was the one I referred to just
1001 before.
1002
1003 SD Mmm hmm.
1004
1005 TAPE ENDED
1006
1007

JLB/I-Document3

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