

**SELECT COMMITTEE INTO THE
FINANCE BROKING INDUSTRY IN WESTERN AUSTRALIA**

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
MONDAY, 9 OCTOBER 2000**

SESSION 4 OF 5

Members

Hon Ken Travers (Chairman)

Hon G.T. Giffard

Hon Ray Halligan

Hon Greg Smith

Hon Norm Kelly

RUSSELL, MS ENID,
Electorate Officer for Hon Doug Shave, MLA,
410 Canning Highway,
Attadale, examined:

The CHAIRMAN: On behalf of the committee, I welcome you to today's hearing. Can you please state your full name, contact address and the capacity in which you appear before the committee?

Ms Russell: My name is Enid Russell. My contact address is 410 Canning Highway, Attadale. I am the electorate officer for Hon Doug Shave.

The CHAIRMAN: You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

Ms Russell: Yes, I have.

The CHAIRMAN: These proceedings are being recorded by Hansard. To assist the committee and Hansard, please quote the full title of any document you refer to during this hearing for the record. A transcript of your evidence will be provided to you and I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before speaking about the matter. Further, the committee may, of its own motion, resolve to take evidence in closed session. The taking of evidence in closed session may be relevant when, for example, the committee believes that the evidence may breach term of reference 3 of its inquiry, which states -

The committee in its proceedings avoid interfering with or obstructing any inquiry being conducted into related matters and in particular inquiries by -

- (a) the police;
- (b) any liquidator or supervisor of any company;
- (c) the Gunning inquiry;
- (d) the Australian Securities and Investments Commission; or
- (e) any prosecution.

However even if the evidence is given to the committee in closed session, it will become public when the committee reports the item of business to the Legislative Council unless the Legislative Council grants an ongoing suppression order at the time it presents its report.

If we ask a question or you have a matter you want to raise with us which impacts on term of reference (3), indicate that to the committee and we will hold a private session at the conclusion of the public hearing.

Members have a copy of your statutory declaration. Do you wish to make an opening statement to the committee?

Ms Russell: No.

The CHAIRMAN: A member of the committee asked for you to come along because of a number of concerns about dates and times. Firstly, I ask whether you can recollect the minister ever meeting Mr Margaria?

Ms Russell: There is no such record anywhere in the electorate office or in my diary. All appointments made by the minister in his electorate office are recorded in my diary. Nothing is in my diary.

The CHAIRMAN: Do you recollect it?

Ms Russell: I have no recollection of his ever meeting Mr Margaria.

The CHAIRMAN: Do you have any recollection of his meeting Mr Jarvis in March 1999?

Ms Russell: He met Mr Jarvis at the end of April 1999. I think you will find it was 29 April. Three people came to the one appointment, as indicated in my diary.

The CHAIRMAN: Mr Jarvis gave evidence to the committee that he met with the minister in March 1999. Evidence from other witnesses indicated that Mr Jarvis stated on 5 March that he intended to meet the minister in the next couple of days.

Ms Russell: No, he did not. It was at the end of April.

The CHAIRMAN: Is it possible that he could have also met him then?

Ms Russell: It is not possible. I am the only person who makes appointments in that office. Everything in the office goes through my diary. It is typed on a list on our computer. There is no record of Mr Jarvis meeting Doug in March. He came in for the appointment in April with two other gentlemen.

The CHAIRMAN: Mr Redman.

Ms Russell: And another person I do not recall. It was on 29 April.

Hon NORM KELLY: How are appointments arranged through the minister's office? Do you have an awareness of such appointments? Could a person meet the minister at his ministerial office without your knowledge?

Ms Russell: You would be aware that a clear delineation exists between ministerial and electorate offices. If a constituent were to ring the ministerial office and ask for an appointment, it would be referred to me. I would make the appointment. Sure - I receive a copy of the time of each meeting the minister has each day, but no mention is made in the records I keep of those types of meetings.

Hon G.T. GIFFARD: No record is kept of what?

Ms Russell: I assumed you were asking whether I was aware that the minister met Mr Margaria. I have no record of that meeting. Nothing appears in my diary or on any of my day files.

The CHAIRMAN: Does the minister ever meet people and it not appear in your records? Is it possible that he ducks out for a half-hour to visit someone?

Ms Russell: I am not responsible for what the minister does during the day.

The CHAIRMAN: No. I am trying to form a picture of how the diary system works.

Ms Russell: If I have a concern with a constituent, I would instigate such matters after the minister's times are recorded for the day, and it has been adduced by the appointment's secretary. If I ring up the minister and, as he passes the office, say, "I have a very distressed constituent; can you see the constituent on the way home?" it would be recorded in my diary. Every appointment is recorded in my diary.

Hon NORM KELLY: Are you provided with a day file of his meetings away from the office so you know exactly where he has been and will be?

Ms Russell: Yes.

Hon GREG SMITH: I suppose there would be some sort of briefing note for meetings away from the office; is that correct?

Ms Russell: Often I ask constituents for briefing notes. I ask about the problem and whether they have documentation or letters from councillors etcetera. I always ask constituents to bring in documents, which I photocopy and keep. No meetings are held at the electorate office that are not recorded in my diary.

Hon G.T. GIFFARD: What about ministerial inquiries that come to your office?

Ms Russell: I usually refer them to the ministerial office. Are you talking about Mr Shave's ministry, or any minister's?

Hon G.T. GIFFARD: Your minister.

Ms Russell: I refer them to the ministerial office, which will refer them to the Department of Land Administration or the Ministry of Fair Trading. Constituents who come in with a lands issue, Fair Trading issue or electoral issue are treated no differently from the way any other person is treated. I am treated no differently as an electorate officer. I do the same as everyone else: I contact the minister's office seeking advice so I can respond to the constituent.

Hon G.T. GIFFARD: What happens with a constituent who wants to raise a ministerial issue with Mr Shave? Do you refer that, or do you deal with it there and then?

Ms Russell: They ask for an appointment on an electorate day to bring it to the minister's attention. Often, I take the details that I forward to the ministerial office and say, "Please get some advice for me so I can respond to the constituent." I do that with any minister's office.

Hon G.T. GIFFARD: I am not concerned about what you do with other ministers' offices; I am concerned about Mr Shave's and your office.

Ms Russell: I do that. I send it to the ministerial office and seek advice.

Hon G.T. GIFFARD: If someone has an appointment in the electorate office of a ministerial nature, is it recorded in your diary?

Ms Russell: Absolutely.

Hon NORM KELLY: Did Mr Turton come to your office to see the minister on a finance broking issue, or did he make you aware -

Ms Russell: Mr Turton came in during the week. The minister and Mr Turton do not have a close and amicable relationship. I knew who Don Turton was. He might pop into the office once a year to leave a Christmas card for his two grand-daughters, who are the minister's daughters. He came in this day and said, "Can I make an appointment to see Doug on Friday?" He is entitled to do that as a constituent. I did not treat Don Turton any differently from how I treat anyone else. I did not ask what he wanted to see him about. I just made the appointment for 9 o'clock on the Friday. I said, "Fine; come back on Friday." It was early in the week - a Monday, Tuesday or whenever.

Hon NORM KELLY: Do you normally ask constituents why they want to see the minister?

Ms Russell: No, I do not. There may be a long time span because of ministerial commitments; for example, he may have ministerial appointments on Friday and cannot do electoral appointments on that Friday. In that case, I say to constituents, "I'm sorry. I cannot get you in until Wednesday week. Can I help you?" If it is a council matter or whatever, sometimes they say yes; sometimes they say no as they would rather see the minister. I do not ask constituents what the appointment is about. They do not want to make an appointment to see me; they want to see their member of Parliament.

Hon G.T. GIFFARD: Does Doug Shave ever ask what they want to see him about? Before you book him up for the day, does he want to know why they want to see him?

Ms Russell: He does not because they are his constituents and are entitled to his time.

Hon G.T. GIFFARD: I am not saying they are not entitled to his time. Does he ask you whether these people have said what they want to talk to him about?

Ms Russell: He does not. If there is a local issue - for example, Heathcote - people might ring on a Tuesday and ask whether four or five people can see Doug on Friday. As four or five people are coming in, I might say, "Give me some documentation if you are dealing with a council or another government body." I might put that in the minister's in-tray if it is a large matter so he can scan it or read it prior to the meeting. As a rule, I do not necessarily tell him what the appointments are about. I guess he relies on me not to waste his time.

Hon G.T. GIFFARD: How do you know whether they are wasting his time - you do not know what the appointments are about?

Ms Russell: I do not.

Hon G.T. GIFFARD: But he relies on you not to waste his time.

Ms Russell: Yes.

Hon G.T. GIFFARD: Even though you have no mechanism to work that out.

Ms Russell: As you know from your electorate offices, a person will tell you what an inquiry is about when that person rings without your having to ask. One rang this morning stating the problem when seeking help. Often I direct people to other places. In normal situations, as with Don Turton, if people ring up as a constituent wanting to make an appointment to see Doug on the Friday, I say, "Yes, I have a time." The appointment is made for 9.00 am, 9.30 am or whatever.

The CHAIRMAN: Do they usually get 15-minute time slots?

Ms Russell: Yes.

The CHAIRMAN: Do you give longer slots if necessary?

Ms Russell: You know that at most times constituents tell you what it is about. You do not necessarily have to ask what they are making an appointment about; they volunteer the information. Often I say that I can start this inquiry. "Let me get the information. Are you coming in next week?" That is how I run it.

Hon G.T. GIFFARD: Do you pass that information to Mr Shave?

Ms Russell: Yes.

Hon G.T. GIFFARD: Does he usually know what is going on?

Ms Russell: I do not necessarily tell him what his constituents want to see him about, no. They often ring up and say they wish to discuss a personal matter. A lot of constituents are elderly and consider the matter involved to be personal and private. They do not wish to speak to anyone else. I respect that. I do not always tell the minister what his constituents want to see him about. If it is something I have already started acting upon, I will put that information on the minister's desk; otherwise, he does not know.

The CHAIRMAN: Did you know what Mr Turton wanted to see the minister about?

Ms Russell: No, because I did not ask him.

The CHAIRMAN: Did he leave any documents with you for the minister?

Ms Russell: None at all.

Hon GREG SMITH: Were you in the electorate office when a meeting took place between the minister and Mr Fidge?

Ms Russell: Yes, I was.

Hon GREG SMITH: Do you recall the date of that meeting?

Ms Russell: It was in April. My mind has gone blank, and I looked it all up this morning. I know it was the Thursday at the end of April. Was it 29 April? I am sorry; I do not recall it now. It is in my diary.

The CHAIRMAN: Did you bring the diary with you?

Ms Russell: No.

The CHAIRMAN: Is it an electronic or handwritten diary?

Ms Russell: I keep one of the big black Collins-type dairies. I write in it in pencil as things change.

The CHAIRMAN: Going back to Mr Turton's appointment, did he indicate that he had already spoken to Mr Shave when he made the appointment?

Ms Russell: He made no mention of anything whatsoever. He came in and asked whether he could make an appointment to see Doug. He made a request. I looked up the diary and wrote in a time. Speech Ends.

The CHAIRMAN: He did not indicate that he already spoken to Mr Shave?

Ms Russell: No.

The CHAIRMAN: Did you consider it unusual that Mr Turton wanted to see the minister?

Ms Russell: No, I did not. He is a constituent and I did not ask him. As I said, they do not have a close relationship; they do not get on very well. I would probably talk to Don once a year. I think he came in once before and asked to see Doug and he wanted to give him some Christmas cards to give the girls. So I did not ask him; I assumed he maybe wanted to pass on some Easter cards for the girls. I had no idea; I did not ask him; and he did not volunteer anything to me. He gave me no indication of why he wanted to see Doug.

The CHAIRMAN: Do you have a system whereby you check with Mr Shave before you lock away an appointment with people like that? Based on what you have told us about their relationship, maybe it is the sort of matter that you would bring to Mr Shave's attention - that he had requested an appointment before the day?

Ms Russell: No, I would not. Mr Turton is a constituent and he is entitled to an appointment as much as anybody else, regardless of their previous relationship.

The CHAIRMAN: If he is coming to see Mr Shave about a personal matter, that is not coming to see him as a constituent: You would not have known that at the time?

Ms Russell: No, I did not know that at the time, and I did not ask.

The CHAIRMAN: Would that be something you would normally bring to Mr Shave's attention?

Ms Russell: No.

The CHAIRMAN: It is not the same as a normal constituent coming through the door, is it?

Ms Russell: I did not treat Don Turton as an ex-relative; I treated him as a constituent.

The CHAIRMAN: But you were not sure whether he was coming to see the minister as a constituent or as an ex-relative?

Ms Russell: No, and I did not ask.

Hon NORM KELLY: So you knew only after the meeting that it was on a ministerial matter?

Ms Russell: I knew at the time the meeting was held because I sit in on all electoral appointments.

Hon NORM KELLY: Do you find it unusual that a constituent, who has made the complaints that Mr Turton obviously has, would be followed up with a personal visit by the minister's staff to the people concerned?

Ms Russell: I do not feel that I can comment on a ministerial office matter.

Hon NORM KELLY: You handled constituent inquiries all the time, and it would always be good to have someone in the minister's office to follow through on those matters?

Ms Russell: I have an excellent working relationship with the people in the ministerial office.

Hon NORM KELLY: Is it usual that a member of the minister's staff would personally follow through on such a complaint by attending such a meeting?

Ms Russell: I cannot comment on the finance broking matter, but if I have a fair trading issue or a lands issue and I ring up the lands policy people and say, "Can you please get me a briefing on this?" that is what they do for me, the same as they would do for your electorate officer. I cannot comment on meetings that are held by ministerial staff.

Hon NORM KELLY: I am simply saying that you were present when Mr Turton explained the problem that he was having.

Ms Russell: I was present at that meeting on that Friday morning when he came in to see the minister, yes.

The CHAIRMAN: Can you outline what he said to the minister, and what you recall of the conversation?

Ms Russell: Obviously I have thought about this a lot. He came in and I remember he had two pieces of paper in his hand. It is not an unusual occurrence for people to come in and say, "This is my problem." The minister asked me to fax those two pieces of paper through to Bill Mitchell and then to give them back to him. Bill Mitchell is the policy adviser on fair trading in the ministerial office. So I did; I walked out of the office and I faxed the documents. Then I rang the ministerial office and said, "I have sent through two sheets of paper and they are for Bill Mitchell", and the reason I rang is that I did not put on a header sheet. Whoever answered the telephone - I do not recall who it was - gave them to Bill Mitchell. I went back into the office and gave the two pieces of paper back to the minister who gave them back to Don Turton.

The CHAIRMAN: You did not take any photocopies for your records?

Ms Russell: No; that is not unusual.

The CHAIRMAN: What was the nature of the conversation between the minister and Mr Turton?

Ms Russell: I do not really recall the conversation because it was not unusual. He said that he was having a problem getting his money out of Blackburne and Dixon, or he had had a problem with Blackburne and Dixon.

The CHAIRMAN: So it was not an unusual conversation?

Ms Russell: He did not say, "I want you to get my money back", or anything like that. He was the sort of constituent who would come in and say, "I have a problem with Blackburne and Dixon", or "I have had a problem with Blackburne and Dixon" - words to that effect.

The CHAIRMAN: And that was not unusual, because a number of people had come to see the minister -

Ms Russell: Quite the reverse. Very few people had come in.

The CHAIRMAN: What was not unusual about it?

Ms Russell: When I say it is not unusual - and I have said this in my statutory declaration - I feel a lot of people are saying that Don Turton came in and said, "Get my money back", and the minister got on the phone and said, "Get my ex-father-in-law's money back." That did not happen. That is what I mean by its not being unusual.

The CHAIRMAN: How many other people have come to the minister and asked him for assistance with finance broking matters?

Ms Russell: Quite a few, but in terms of our electorate, not a lot.

The CHAIRMAN: What time frame are we looking at?

Ms Russell: We are talking about 12 or 18 months.

The CHAIRMAN: What happened to all of those requests? Did you handle any of them?

Ms Russell: No, I did not, because they are ministerial matters and they are to do with a portfolio and I handle only electorate work.

The CHAIRMAN: Did you follow up and make sure the matter had been resolved?

Ms Russell: Sometimes I would, but probably only if that person came back into the office and asked me to follow it up.

The CHAIRMAN: Has anyone come back into the office and asked you to follow up on a finance broking matter because they were still waiting for a result?

Ms Russell: A couple of people have asked.

The CHAIRMAN: What has happened to those requests?

Ms Russell: I have referred them to the minister's office.

The CHAIRMAN: You have not followed them up; you referred them to Mr Mitchell or just to the minister's office?

Ms Russell: I would probably refer them to the minister's office and it would probably then be given to Mr Mitchell.

The CHAIRMAN: Are you aware of anyone else who has had Mr Mitchell attend a meeting with a finance broker to assist with the return of money?

Ms Russell: I do not work with Mr Mitchell on a day-to-day basis. No, I am not aware. I work in a separate area. Mr Mitchell has attended at the electorate office when people have come in with finance broking issues.

The CHAIRMAN: Do you ever arrange for ministerial staff to attend the meeting in the minister's electorate office?

Ms Russell: Sometimes I do. If it is something that will be referred to the Minister for Fair Trading or it will be referred to the Minister for Lands and it is an issue on which the minister would perhaps want or need a briefing, or if I felt that the policy officer had knowledge of whatever this person is asking about - and I am working on the assumption that the person has told me what they want to see the minister about - yes, I would ring the ministerial office and I would ask the Minister for Lands policy adviser.

The CHAIRMAN: To be present at that meeting?

Ms Russell: Yes, I would. It is a time saver; it saves time for the constituents, it saves time for the minister. It just short-circuits matters.

Hon NORM KELLY: In relation to finance brokers, at times when constituents have come along with some concern, if you have been aware that it is a matter relating to finance brokers you would normally contact Bill Mitchell to have him involved?

Ms Russell: No, I would not. Once the finance broking issue "broke" there were a lot of cases where we were not even making appointments; I was referring them to Mr Mitchell for perhaps briefing notes and perhaps we would arrange a meeting later. If someone came in and said, "I have a problem with a finance broker", I would say, "Give me your information, I will get a briefing note and make an appointment for you." That is basically the way we were working.

Hon NORM KELLY: In those cases you would get Bill Mitchell involved and you would not sit in on those meetings?

Ms Russell: Yes, he is the Ministry of Fair Trading policy adviser.

The CHAIRMAN: You were explaining to us that Mr Turton was having a meeting with the minister and he asked you to fax some documents to Mr Mitchell. What did Mr Turton say to the minister?

Ms Russell: I think he said he was having a problem getting his funds back from Blackburne and Dixon. I am not saying they were his exact words. He gave me these two documents, the wording of which I do not recall because I did not read them, and I faxed them off and gave them straight back.

The CHAIRMAN: What else happened at the meeting?

Ms Russell: I took the documents back into the meeting -

The CHAIRMAN: Did Mr Shave and Mr Turton remain in the meeting talking while you were doing the faxing?

Ms Russell: Yes, but the fax is from here to that chair away; it is very close. I took the two pieces of paper and gave them to the minister who gave them to Mr Turton, and then the minister rang Bill Mitchell.

The CHAIRMAN: What did he say to Mr Mitchell?

Ms Russell: That I have an elderly constituent who has had a problem with Blackburne and Dixon; what is happening with Blackburne and Dixon; what can we do to help this gentleman - which is what we do all day every day.

The CHAIRMAN: Were any notes taken at that meeting?

Ms Russell: No.

Hon G.T. GIFFARD: Why not?

Ms Russell: I do not take notes on Ministry of Fair Trading land issues, particularly if it will be referred directly into town, because usually once the issue is resolved a copy will be sent back to me and I will file it under the constituent's name. It was a fairly brief meeting - 15 minutes - and there was no need to take notes, because I had faxed those papers through to Bill Mitchell.

Hon GREG SMITH: Did the minister instruct you to take any action regarding Mr Turton's claims at the meeting?

Ms Russell: No, he did not. I would not have under those circumstances, because the matter has been referred to the ministerial office.

The CHAIRMAN: So you played no further part in this matter?

Ms Russell: No.

The CHAIRMAN: Mr Shave rang Mr Mitchell and said, "I have an elderly constituent."

Ms Russell: He said, "Enid has just faxed you through these two pieces of paper; it is to do with finance brokers Blackburne and Dixon." I do not recall the exact wording.

The CHAIRMAN: Mr Turton did not outline what he had gone through to try to get his money back, or any other details?

Ms Russell: No. The first I heard of all that was when the previous gentleman was in here today.

The CHAIRMAN: Is it normal not to try to get a bit of background on what the constituent has already done in an attempt to resolve the issue so you are not going over the same ground?

Ms Russell: Do you mean for me to get the background?

The CHAIRMAN: You were in the meeting with the minister and the constituent, and at this stage all you have told us is that the constituent came in, told the minister he was having trouble getting money back from Blackburne and Dixon and handed over the two pieces of paper.

Ms Russell: He would have told the minister that he had been in touch with Blackburne and Dixon.

The CHAIRMAN: Do you recall that?

Ms Russell: I recall his saying that he was having problems getting his money out of Blackburne and Dixon. Yes, I do recall his saying that. I do not recall Don Turton going into great detail about telephone calls and whatever particular conversations he had had with Blackburne and Dixon. One of the reasons I do not recall that is that once I became aware that it was not an issue with which I would be dealing - while I was aware of what was going on around me - I tended not to get involved mentally because I knew it was not something I would have to do.

Hon NORM KELLY: Usually electorate officers are very busy doing other things, anyway.

Ms Russell: That is right. If a constituent came in I knew I would need to do this and that, but I do not take down the detail because it is not something for which I will ultimately be responsible.

Hon G.T. GIFFARD: Do you recall the fact that they came in and you referred the matter to Mr Mitchell?

Ms Russell: Yes, I do.

HON G.T. GIFFARD: You do not record that?

Ms Russell: No, I do not; not if it is an issue that I will not ultimately be dealing with.

Hon G.T. GIFFARD: What if the constituent comes back to you in two weeks' time and says, "You have referred me to someone, I cannot remember who it was, and he has not rung me back"?

Ms Russell: I have an activity report and a confirmation sheet out of my fax machine; I have a copy of the fax which was done at 9.13 am, or whatever time it was. If I faxed the information through to somebody else, I would have the number. If I were to fax a document through that you brought in to me, I would take my fax confirmation slip off it, staple it to the back and put it on the file, so if you came back to me two weeks later, I would go to your file. It is all filed under the person's name. I would take it out and say, "Sorry, I have had no response to it", because when I get a response I put it with that person's information.

Hon G.T. GIFFARD: So all you have got in your office is a confirmation of a facsimile of a two-page document?

Ms Russell: Yes, I have, especially if I ask them to respond direct to that person. If they have not responded direct, I get back and ask them.

Hon NORM KELLY: To try to summarise it, is the situation that Mr Turton attended the office to meet with minister Shave?

Ms Russell: Yes, he did.

Hon NORM KELLY: During that meeting the minister got straight on the phone to Bill Mitchell -

Ms Russell: He did not get straight on the phone; he got on the phone after I had sent the fax.

Hon NORM KELLY: - after you had faxed the material, to see whether Mr Mitchell could get it sorted out.

Ms Russell: Yes, for an elderly gentleman.

Hon NORM KELLY: I am not saying that he mentioned any connection with him. As we are heard in other evidence, the following Friday Bill Mitchell had arranged for one of the minister's staff to visit the company and then Mr Turton was paid out. Are you aware of any other occasions

when such a constituent inquiry or complaint has been met to that constituent's satisfaction with such spectacular results?

Ms Russell: I had one the other day - not involving that amount of money - but I had a lady with a problem with a carpet firm which would not refund the considerable deposit she had paid. I spoke to Bill Mitchell and said, "This constituent has got a problem. It is a Fair Trading issue." Bill referred it to Fair Trading. Somebody from Fair Trading rang the carpet firm. It negotiated with this lady. Eventually it gave her a credit note which she could on-sell to somebody else. I have had that with the council as well.

Hon NORM KELLY: I suppose you are often dealing with what would normally be ministerial inquiries or complaints in Fair Trading. Is there any hint of referring constituents directly to the Ministry of Fair Trading for them to go through the Ministry of Fair Trading's normal inquiries and complaints procedures rather than bypassing them by going through the minister and then the minister's office to get some satisfaction?

Ms Russell: People ring and ask for the number for Fair Trading and I give it to them.

Hon NORM KELLY: If people ring asking for the number, you give them that, but if they see the minister, they can short-circuit that route by going through the minister's office.

Ms Russell: It depends on the situation. A lot of people write to Fair Trading direct, not only constituents but also people from all over the place. People may have dealt directly with Fair Trading and when Fair Trading responded it gave them the name of a person and a phone number. Somebody will ring up saying, "I had the person's name but I have lost the phone number" or "I have the lady's name but not the number." I give them the number for Fair Trading and they deal with it themselves. You do not push it through just because it is the minister's portfolio. It does not work that way and I do not work that way.

The CHAIRMAN: Do you record constituent contacts on the database of your computer?

Ms Russell: I used to, but, no, not very often.

The CHAIRMAN: I understand that Mr Shave is quite a keen campaigner.

Ms Russell: Absolutely; I have my database going.

The CHAIRMAN: You do not record on that when people have contacted you?

Ms Russell: Are you talking about the electoral management system?

The CHAIRMAN: Yes, or do you operate a similar program?

Ms Russell: I operate a database, but I do not record if people ring up and just want something.

The CHAIRMAN: What about when they come in for a meeting with the minister?

Ms Russell: Yes, of course.

The CHAIRMAN: Did you record Mr Turton's visit on the database?

Ms Russell: I have a form under his name, yes.

The CHAIRMAN: What sort of details would you normally record?

Ms Russell: Probably it would just have on it the date, the time, what he came in about and what action was taken.

The CHAIRMAN: Could you print out a copy of that and send it to the committee?

Ms Russell: Yes.

The CHAIRMAN: You said that you do not recall whether during Mr Turton's meeting with the minister Mr Turton indicated that he had spoken to Blackburne and Dixon?

Ms Russell: I do not recall him saying that.

The CHAIRMAN: You do not recall whether he indicated that he advised Blackburne and Dixon of his relationship to the minister?

Ms Russell: No, I do not recall it.

Hon GREG SMITH: At the 29 April meeting, Mr Fidge and I believe Ms Brailey were present?

Ms Russell: That is correct.

Hon GREG SMITH: Who else was there?

Ms Russell: I think Bill Mitchell was at the meeting and Patrick Walker the CEO of Fair Trading.

The CHAIRMAN: Do you recall whether they were there for the purpose of that meeting or a meeting prior to that meeting?

Ms Russell: I think they were there for the prior meeting as well, which happened to overlap. It is probably one of those ones at which Paul Redman and Denis Jarvis had said, "We want to come and talk to Mr Shave about the finance brokers", in which case when they said that they wanted to speak about the finance brokers, prior to that meeting I would have contacted the ministerial office and said, "These three people are coming in." I would not have organised the CEO of Fair Trading; somebody from the ministerial office would have done that.

The CHAIRMAN: Do you recall whether Mr Fidge identified what he wanted to see the minister about?

Ms Russell: No.

The CHAIRMAN: It was only by coincidence that those people were there?

Ms Russell: Yes. Mr Fidge made no mention whatsoever that he was bringing Denise Brailey along to that meeting.

Hon GREG SMITH: How long did the meeting last?

Ms Russell: It would have gone on for 20 minutes to half an hour.

Hon GREG SMITH: That is the meeting with Mr Fidge and Ms Brailey?

Ms Russell: Yes, it would only have been half an hour or so because they were very late starting it. I think Mr Fidge and Ms Brailey were kept waiting for a while because the other three gentlemen were in. When I say a while, it would have been half an hour or so. It would not have been any longer than half an hour.

Hon GREG SMITH: If the meeting had gone for something like one and a half hours, would you recall it or would you have recorded it?

Ms Russell: I would recall it because I would get pretty agitated. I only get the minister in the electorate office for one day a week. I have got so much work to do with him that if he had a one-and-a-half-hour meeting, I would definitely remember it.

Hon GREG SMITH: You said that the meeting with Redman and Jarvis went over time?

Ms Russell: Yes.

Hon GREG SMITH: Do people get scheduled in 15-minute blocks?

Ms Russell: Yes, and sometimes it will go 15 minutes over time. It is a bit like going to the doctor's. On the rare occasion, if people do tell me what their appointment is about and if I think that it will take longer than 20 minutes, I will allow half an hour, but that is at my discretion. From memory, I think I allowed extra time for the Paul Redman and Denis Jarvis meeting because I knew that I had spoken to Bill Mitchell about it. Obviously I would not slot in 15 minutes for a meeting of that kind.

Hon GREG SMITH: We have been told that there is a window in the wall between the minister's office and the outer office. Mr Fidge, or one of the witnesses, said that you could hear a lot of what was going on in the room. Did you hear any of the conversation between Mr Fidge, the minister, Denise Brailey and others?

Ms Russell: No, because I did not sit in on the meeting. The building is an infant health centre of about 45 years old. It has a little door thing set in the wall from the minister's office. You can open it up. It has smoked glass. Quite possibly I would have shut that little window. I often do that, particularly if people are talking about their finances or they have a really personal problem. I shut the window so that nobody else can hear anything. I do not recall whether the window was open or shut, but, as I say, I was not in on the meeting.

Hon GREG SMITH: You said that if Fair Trading people were there -

Ms Russell: That is right. If it is very obvious that it is a Lands issue or a Fair Trading issue, obviously it will be dealt with out there and not within the electorate office, so I do not sit in on the meetings, otherwise I usually sit in on every meeting.

Hon GREG SMITH: I am trying to second guess here, but the fact that meetings were held with Redman and Jarvis and then Mr Fidge during that period of time, is it likely that a series of meetings was set up for people who had problems with finance brokers?

Ms Russell: We did not have a lot of meetings set up for finance brokers, when you consider the size of the constituency or of the number of electors within the constituency. There would have been a series - I do not recall exactly. When I say, "a series", it might have been over a period of three or four months. For example, now we do not get any meetings about it, but at that time people were coming in and talking about finance brokers.

Hon GREG SMITH: I imagine that being in the minister's electorate office, you would have been getting inquiries from non-constituents as well?

Ms Russell: Yes.

Hon GREG SMITH: I presume that a constituent's inquiry would be handled differently from a non-constituent's inquiry?

Ms Russell: I would refer a non-constituent inquiry to the Ministry of Fair Trading or to the minister's office. If someone rang and said, "I want to speak to Doug Shave and I live in Mundaring", I would say, "I am sorry." I would refer him to the minister's office. If he wanted to talk to somebody about finance broking or somebody in Fair Trading, I would give him the Fair Trading number. I did not deal with any finance brokers. I have forgotten what your question was.

Hon GREG SMITH: I was asking about the difference between the handling of constituents and non-constituents.

Ms Russell: If a constituent rang and said, "I have lost X dollars in Blackburne and Dixon" - a couple did that - "Can I make an appointment to see Mr Shave", I would say, "Yes, come in on Friday." People like Don Turton rang up. A lot of elderly people still feel that their finances are very private. They will not ring because they are embarrassed and worried. Others will not tell me. They simply say they want to make an appointment to see Mr Shave, and I say, "That is fine. He has been your member of Parliament for 12 years. You have done it before. I will make an appointment."

Hon GREG SMITH: When was the first contact that Bill Mitchell had with the Turton matter?

Ms Russell: From what I know of the sequence of events, the first contact that Bill Mitchell would have had would be when I faxed those two pieces of paper through to him. There has been no indication from anybody that Bill Mitchell knew or that Don Turton had rung the minister's office or anything like that. The first contact that Bill Mitchell would have had was when I faxed those two pieces of paper.

Hon GREG SMITH: What was the date?

Ms Russell: I think it was 13 August.

Hon GREG SMITH: The allegation was made that the minister said, "If the silly old fool had come to me, I would have warned him not to put his money in those sorts of schemes." Do you recall those words?

Ms Russell: No, and if he had I would remember it because that would be totally out of character.

Hon G.T. GIFFARD: Were you in the Fidge meeting?

Ms Russell: No, I was not.

Hon G.T. GIFFARD: So you do not know whether or not he said that.

Ms Russell: No, I do not, but I could not imagine the minister saying something like that anyway. I would remember it, because he just does not speak like that.

Hon NORM KELLY: However, you said earlier on that you are aware that it is not an amicable relationship, so although you do not recall -

Ms Russell: But Minister Shave would not say that, whether or not he had an amicable relationship with somebody. That is not how he speaks. He would not say it. He has a very large percentage of elderly people within his electorate, and nobody is ever called a silly old fool.

The CHAIRMAN: Have you ever seen the way he has referred to the member for Armadale in the Parliament?

Ms Russell: I have seen it.

Hon NORM KELLY: I think she is a bit younger.

Hon G.T. GIFFARD: He gets colourful.

Ms Russell: No, that would not happen.

The CHAIRMAN: That sort of language is saved for -

Hon NORM KELLY: - the Parliament, and it should be.

Ms Russell: He certainly would not say it in his electorate office, and I cannot imagine why he would say something like that, if he did, in front of somebody who is going to go out and talk to the media. Why would he do it? He is too consummate for that.

The CHAIRMAN: So you do not think he would have said it in front of those people.

Ms Russell: No, I am saying he would never have said it at all, it would be totally out of character, and I want that placed on the record. I think I have already said that.

The CHAIRMAN: It is all on the record.

Hon G.T. GIFFARD: Your loyalty is admirable.

Hon GREG SMITH: That 29 April meeting with Mr Fidge was a meeting that he had arranged.

Ms Russell: Yes.

Hon GREG SMITH: There was no suggestion that he would bring someone else with him.

Ms Russell: No. We did not even know Denise Brailey was there until she appeared in the doorway. No, he did not say he was bringing Denise Brailey.

Hon GREG SMITH: Was any comment made about Denise being there?

Ms Russell: No. I was just surprised to see her, because usually a constituent will say, "I might bring one other person with me" or "I might bring two other people." Constituents will tell us if they are going to bring somebody else with them. He did not, so, yes, I was a bit surprised. I would

probably be surprised if another constituent turned up with one or two other people, because most people come to appointments on their own. We might get a husband and wife, but we very rarely get two people, unless they are coming in on an issue and they say to us that there will be two or three of them coming in. Yes, I was a bit surprised to see her. In fact, I did not know who the lady was at that stage.

Hon GREG SMITH: Did you hear any of the conversation that took place at that meeting?

Ms Russell: No, I do not recall specifically hearing any of that conversation, but I would have been in and out doing things. No, I do not recall.

Hon GREG SMITH: Let us say that someone was in that room and was raising his or her voice and getting angry -

Ms Russell: I would hear that, yes.

Hon GREG SMITH: You cannot recall hearing any of that?

Ms Russell: No, I cannot, but I did not actually sit there and physically listen to every word that was said in the meeting. However, yes, I would hear raised voices.

Hon GREG SMITH: If someone started to get a bit excited -

Ms Russell: Yes, I would.

The CHAIRMAN: Did you have any dealings with Mr Gaunt?

Ms Russell: Only from the fact that I made an appointment for Mr Gaunt. It is the same thing. He is a constituent who rang up and wanted an appointment to see the minister.

The CHAIRMAN: Where was that appointment?

Ms Russell: I have an idea that was back in April last year as well.

The CHAIRMAN: But where?

Ms Russell: At the electorate office, because he is a constituent.

The CHAIRMAN: Do you recall his coming in for that appointment?

Ms Russell: I do not recall Mr Gaunt coming in specifically to that particular appointment, but he did come in to one appointment. He was another one who did not bother to tell me what he wanted to see the minister about. He just came along to his appointment. I made the appointment; he came in and saw the minister.

The CHAIRMAN: Would you have sat in on that appointment?

Ms Russell: I would have done initially, yes.

The CHAIRMAN: Do you recall what happened in that?

Ms Russell: Sometimes the constituents will give me their papers and I will then refer them on. I do not recall exactly what I did with Mr Gaunt. In fact, I do not even recall whether or not he had any papers with him. I certainly would not have made any notes if he came in on a finance broking issue.

The CHAIRMAN: You are able to recall very clearly what happened with Mr Turton. I assume that the ministry dealt with the matters at around the same time.

Ms Russell: Yes.

The CHAIRMAN: Why are you able to recall so clearly Mr Turton's meeting but not Mr Gaunt's meeting?

Ms Russell: Probably because I have thought a lot more about Mr Turton's meeting, because I guess it has been in the media and on the news, and people have asked me to check my diaries.

The CHAIRMAN: Mr Gaunt's matter has had a fair bit of coverage as well, though.

Ms Russell: The only reason I remember the Don Turton one was that he actually handed over papers that I faxed and that I have proof that I faxed. If Mr Gaunt did not give me any papers or anything that I would record, then I do not keep it on file. I have a file note; that is all I have.

The CHAIRMAN: On Mr Gaunt?

Ms Russell: Yes.

Hon G.T. GIFFARD: Did he tell you what he wanted to come to see you about?

Ms Russell: No, he did not.

The CHAIRMAN: All Mr Turton did was to give you the papers. You faxed them and gave them back to him. It is not as though you kept those papers, is it?

Ms Russell: No.

The CHAIRMAN: You are saying that you cannot recall anything about the meeting with Mr Gaunt.

Ms Russell: Unless I faxed those papers through, if he gave me papers about finance broking, I would not have kept them.

The CHAIRMAN: No, you would have faxed them through to Mr Mitchell.

Ms Russell: Not necessarily. Mr Gaunt might have taken them himself.

The CHAIRMAN: Do you recall the minister phoning Mr Mitchell about the Gaunt matter?

Ms Russell: No, I do not.

The CHAIRMAN: You have no recollection whatsoever of the meeting between the minister and Mr Gaunt?

Ms Russell: I do not have a recollection of the minister phoning about Mr Gaunt, but he would have done, if that was the procedure.

The CHAIRMAN: But you vaguely recollect Mr Gaunt having an appointment with the minister.

Ms Russell: Yes, I do. I recollect his having an appointment with the minister.

The CHAIRMAN: But not the details of it.

Ms Russell: No, I do not.

The CHAIRMAN: Would you have sat in on the meeting?

Ms Russell: I would have done initially. Once he had said, "It's finance broking and this is what I want you to do", I suppose in some ways I mentally switch off because I know that ultimately I will not be following through on the particular problem. I think you understand what I saying.

The CHAIRMAN: Yes.

Ms Russell: I then no longer absorb the detail because I am not responsible for helping to resolve that constituent's problem; somebody else will do it. Therefore, I will go through the processes, but, no, I do not recall details. I probably would recall Don Turton's details, more so than I recall Peter Gaunt's, because I know Don Turton, I suppose. It is like if you came into the office, I would remember your appointment, more so than I would remember that lady down there, because I know you and I do not know her. That is a human nature thing. You cannot say that it is anything different.

The CHAIRMAN: You did not know Mr Gaunt before he came to that -

Ms Russell: No, I did not. I still do not know Mr Gaunt.

The CHAIRMAN: When the minister returned from doorknocking, do you ever remember his raising an issue with you about having met a Mr Ryder out doorknocking and any problems Mr Ryder was having with a finance broker?

Ms Russell: No, I do not. I do not recall Mr Ryder at all.

The CHAIRMAN: Do you recall the minister ever referring to finance broking matters on returning from doorknocking the electorate?

Ms Russell: He may have come back and made a general comment: "People say you've got your name in the paper. At least we know who you are", or something to that effect.

The CHAIRMAN: When he goes doorknocking, if people raise issues with him at the door, does he bring them back to you?

Ms Russell: Hundreds of them.

The CHAIRMAN: I am sure you hate it. Did he bring back many finance broking matters from doorknocking?

Ms Russell: No.

The CHAIRMAN: None that readily springs to mind?

Ms Russell: I am not saying there was none, but there was not anything of huge significance that I can recall.

Hon G.T. GIFFARD: How do the people in the minister's office know what the minister will be doing on a Friday?

Ms Russell: I tell them on Thursday. I type up a list of who they are, and I fax that through to the minister's office, and I keep a copy in my office.

Hon G.T. GIFFARD: The minister's office will know the night before?

Ms Russell: Yes, the minister's office knows the night before.

Hon G.T. GIFFARD: One presumes that the people in his office give him a copy.

Ms Russell: They do not always. Sometimes they just send it straight back to me because they know he is coming to the electorate office.

Hon G.T. GIFFARD: Do they ever say to you, "What are all these appointments for? Who is this person? We know that person. What do they want?"

Ms Russell: No, they do not.

Hon G.T. GIFFARD: There is never any interest by the people in the minister's office about whom he is meeting on a Friday?

Ms Russell: Never, because he is very pedantic about having that door open on a Friday, and he will see as many people as want to come in on a Friday, and nobody would ever question it.

Hon G.T. GIFFARD: I did not ask whether they challenged it; I just asked whether they showed any interest in what the minister was doing on a Friday.

Ms Russell: Only to the point that maybe I have an electorate appointment that will overlap, say, something to do with the Lands portfolio perhaps and he has to be somewhere - it may be a press conference or whatever. Sure, on a Friday, if they have something that they specifically need the minister to do as part of his portfolio, they will ring me and say, "How many appointments have you got Friday morning? We need the minister to be at Minim Cove", or Woop Woop or wherever, and I can adjust my day accordingly. However, other than that, no, they do not show any interest in my constituent appointments.

The CHAIRMAN: It would have to be a fairly serious matter to get a minister off work like that.

Ms Russell: Yes, that is right. Friday is his electorate day. I think most politicians spend Friday in their electorate, and I try to fight to keep my Fridays for me.

Hon G.T. GIFFARD: I suppose it goes without saying that you have not been privy to all the communications the minister has had with Mr Mitchell on the Turton matter. You are not with the minister 24 hours a day, so you are not in a position to know, apart from that conversation in the first place, what on earth Mr Shave might have said to Mr Mitchell. Is it right that you would have no knowledge of any subsequent discussion?

Ms Russell: No, I would not be in a position to be able to control what those two say, because I do not work in the ministerial office.

Hon GREG SMITH: Did you overhear the conversation between the minister and Mitchell when the minister rang from the office?

Ms Russell: You mean when Don Turton was there? Is that what you are asking me?

Hon GREG SMITH: Yes.

Ms Russell: I recall Doug ringing Bill Mitchell, and I recall him saying something about an elderly gentleman. I do not recall anything untoward about that conversation.

Hon G.T. GIFFARD: You do not recall him saying, "This is the bloke who Fidge raised with us"?

Ms Russell: No, I do not, and I am suggesting that because I do not recall it he did not say it, because if he did say it, it would be very out of character.

Hon G.T. GIFFARD: "This is the bloke who was mentioned a couple of months ago" would be out of character?

Ms Russell: Yes.

Hon G.T. GIFFARD: Why would that be out of character?

Ms Russell: Because he would not say that in front of Don Turton.

Hon G.T. GIFFARD: Does that make it out of character?

Ms Russell: Yes, it does, because you must allow for the elderly gentleman's feelings, I suppose.

Hon G.T. GIFFARD: In your statement you say, "I have heard numerous comments made by people" - and you are talking about the lean-on allegation, I think. You go on to say in your statement that "Mr Mitchell did not at any time signify to me any awareness of the relationship." When did you have a discussion with Mr Mitchell about the Turton matter?

Ms Russell: I have never discussed the Turton matter with Bill Mitchell, but I have discussed the finance brokers issue in general if constituents have come in or I have needed Mr Mitchell to come out to the electorate office. I would talk to him on the phone dozens of times a week, and he has never given any indication to me that at any stage he knew the relationship that Minister Shave used to have with Don Turton.

Hon G.T. GIFFARD: You are talking not about general dealings with Mr Mitchell but about when this matter was raised by Mr Turton and when the minister referred to Mr Mitchell. Your statutory declaration states -

Nothing at all was said to Mr Mitchell about any relationship . . .

You are not talking generally; you are talking about this incident. Your declaration goes on -

. . . and Mr Mitchell did not at any time signify to me any awareness of the relationship.

Ms Russell: That was at the time. I am unsure who said it; perhaps it was one of the people we have mentioned this afternoon. It has been suggested that, when Minister Shave got on the phone to Bill Mitchell and after I faxed the documents through, Mr Shave said, "This man is my ex-father-in-law. Lean on someone to get his money back," or words to that effect. He did not say that.

Hon G.T. GIFFARD: I ask you to listen carefully to my question.

Ms Russell: Yes, I will.

Hon G.T. GIFFARD: You state -

Mitchell did not at any time signify to me -

That is you, not Mr Shave.

Ms Russell: But I had not finished my answer.

Hon G.T. GIFFARD: Can you please answer that question?

Ms Russell: That is what I am answering.

Hon G.T. GIFFARD: No, you are not; you are talking about Mr Shave and Mr Mitchell having a conversation.

Ms Russell: That is right. The suggestion relates to after that meeting with Don Turton and after the minister made the telephone call and I faxed that stuff through. I had not sent the cover sheet, so I rang Bill Mitchell and asked, "Did the staff give you those pieces of paper from Mr Turton?"

Hon G.T. GIFFARD: I thought that was the purpose of Mr Shave's conversation. Did Mr Shave not have a conversation -

Ms Russell: Yes, he did.

Hon G.T. GIFFARD: He had a conversation about the fax. Why did you need to ring Mr Mitchell to confirm it? You were there and you heard him have that conversation about it.

Ms Russell: I always do that so I can ensure, because I did not send a cover sheet, that the person on the front desk at ministerial office has given the documentation to the addressee.

Hon G.T. GIFFARD: You already knew that because you were in a meeting when Mr Shave rang his ministerial office and had a discussion with Mr Mitchell about the documents.

Ms Russell: No. When he spoke to Mr Mitchell he said, "These documents are being sent through; Enid has sent them through." Later in the morning - perhaps a half an hour later, I do not recall - I rang the ministerial office and asked for Bill Mitchell. I said, "Did you get the fax I sent through this morning?" I do that all the time if I send something without a cover sheet; I ring the staff and say, "Please make sure that goes to Fred, Bill or whoever." I always check to ensure that it has been received by the appropriate person.

Hon G.T. GIFFARD: I will check the transcript, because I do not think that -

The CHAIRMAN: I thought you told us earlier that after you sent the fax you rang the ministerial office to advise that the fax coming through was for Mr Mitchell.

Ms Russell: I did, but I did not specifically ask to speak to Bill Mitchell at that time. I rang and said, "I am sending through a fax without a cover sheet. It is for Bill Mitchell." I rang him later in the morning and asked, "Did you get that fax? Did they take it off the fax machine and give it to you?"

Hon G.T. GIFFARD: What did he say?

Ms Russell: He said that he had received it.

Hon G.T. GIFFARD: Did you have any further discussion with him about it?

Ms Russell: No.

Hon G.T. GIFFARD: So he did not say, "Yes, I got that. That is from his ex-father-in-law"?

Ms Russell: No. That is what I mean in the statutory declaration.

Hon G.T. GIFFARD: So, on the basis that Mr Mitchell did not say, “Yes, I got your fax; it is from the minister’s ex-father-in-law,” you say he did not know about the relationship.

Ms Russell: He did not because the minister -

Hon G.T. GIFFARD: How do you know that?

Ms Russell: Because this was the first meeting we had had with Mr Turton.

Hon G.T. GIFFARD: How do you know that?

Ms Russell: How do I know what?

Hon G.T. GIFFARD: He might have had a meeting in the ministerial office.

Ms Russell: Who?

Hon G.T. GIFFARD: Mr Turton.

Ms Russell: He would not have done that; he has had a stroke and does not drive. He could not possibly have got to the office.

Hon G.T. GIFFARD: How do you know that Mr Mitchell did not know about the relationship between Mr Shave and Mr Turton?

Ms Russell: Because this was the first contact Mr Mitchell had had with Mr Turton.

Hon G.T. GIFFARD: How do you know that Mr Mitchell did not know about the relationship with Mr Shave and Mr Turton prior to this meeting?

Ms Russell: How would he?

Hon G.T. GIFFARD: How do you know he did not know? You are answering for Mr Mitchell.

Ms Russell: No, I am not.

Hon G.T. GIFFARD: I will put a proposition to you. The last sentence of that paragraph states -
The accusations against Mr Mitchell are unfounded and untrue.

Those are accusations that he knew about the relationship. How do you know that he did not know by some other means?

Ms Russell: Because that was the first contact that Mr Turton had had on a formal basis. He had been to the electorate office only once in two years. He never came near the place; we just did not see him. He is old and sick and has had a stroke.

Hon G.T. GIFFARD: Do you understand the question?

Ms Russell: I know exactly what you are asking.

Hon G.T. GIFFARD: You are not answering the question.

Ms Russell: Yes, I am. I do not believe there is any way that Bill Mitchell could have known that Don Turton was Minister Shave's ex-father-in-law because he is a constituent.

Hon G.T. GIFFARD: Do you know who Bill Mitchell knows?

Ms Russell: No.

Hon G.T. GIFFARD: Do you know everything Bill Mitchell knows?

Ms Russell: No, I do not.

Hon G.T. GIFFARD: No, you do not. I put it to you simply: How could you have known? Why have you put in your statutory declaration that the accusations against Mr Mitchell are unfounded and untrue when you could not have known?

Ms Russell: I said the rumours about the “lean on” are unfounded and untrue.

Hon G.T. GIFFARD: You are talking about the relationship.

Ms Russell: Yes.

Hon G.T. GIFFARD: You state -

. . . which seem to suggest that the Minister specifically sought out Mr Turton and that Mr Mitchell was aware at the time of the appointment of the former relationship between the Minister and Mr Turton.

You conclude -

The accusations against Mr Mitchell are unfounded and untrue.

Ms Russell: Did Mr Mitchell not swear under oath that he was not aware of the relationship either?

The CHAIRMAN: Here or at the Gunning inquiry?

Ms Russell: I thought it was at the Gunning inquiry.

Hon G.T. GIFFARD: I am asking how on earth you know Mr Mitchell did not know.

Ms Russell: All right, maybe I did not know. In terms of that phone call, the appointment and prior to that, he did not know.

Hon G.T. GIFFARD: We understand that; you have repeated that on a number of occasions. That explanation does not satisfy this assertion in your statutory declaration that it is unfounded and untrue. I am putting it to you that you could not know that.

Ms Russell: Perhaps I could not.

Hon G.T. GIFFARD: No. Are you agreeing that you cannot support this statement in your statutory declaration?

Ms Russell: I can support it because Mr Mitchell swore under oath that he did not know.

Hon G.T. GIFFARD: You cannot convince me because you have just agreed that you do not know everyone Bill Mitchell knows.

Ms Russell: No, I do not; but I do know that he would not know Mr Turton.

Hon G.T. GIFFARD: You know that. Did he tell you he did not know Mr Turton?

Ms Russell: No, he did not.

Hon G.T. GIFFARD: Then you simply do not know, do you?

Ms Russell: No.

Hon GREG SMITH: It states that he did not signify any awareness.

Hon G.T. GIFFARD: That is correct; that is the explanation. However, the allegation is that he did know.

Hon GREG SMITH: It is being claimed that he did not signify.

Hon G.T. GIFFARD: No, the allegation is that he knew. The explanation is that he did not signify and, therefore, it is untrue. That is not a sustainable proposition and that has been just been agreed to.

Ms Russell: I did not agree to that. You asked me how I would know whether Bill Mitchell knows someone. I do not, and that is all I agreed to.

Hon G.T. GIFFARD: Yes, and as a consequence you are not in a position to tell us whether he knew about the relationship between the minister and his ex-father-in-law.

Ms Russell: He would not have known. Don Turton is an elderly man who has had a stroke and who never leaves his house, apart from coming up the road.

Hon G.T. GIFFARD: You know a lot about him given that you have met him only once.

Ms Russell: I do now because I have read about him in the newspapers and in the Gunning inquiry report. I have also studied my diary. I did not know anything about him prior to this.

Hon G.T. GIFFARD: I am satisfied with your answers.

The CHAIRMAN: Did Mr Mitchell have the fax you sent him when the minister rang him in the ministerial office?

Ms Russell: No, he would not have done; it would still have been at the front desk.

The CHAIRMAN: So the minister would have talked to him without his having the document.

Ms Russell: He would have said, "I am sending you a fax. It relates to a constituent. He is an elderly gentleman who has a problem with Blackburne and Dixon." Mr Mitchell would have said "Okay." I rang later in the morning to check whether the reception personnel had given him the fax. As members will understand, the minister's reception desk is busy. If they get a couple of bits of paper with someone's name on the bottom, they will wonder what to do with them unless they have a cover sheet, and they did not. I rang and said, "The stuff that came through is for Bill Mitchell." I rang later and spoke to him and asked whether he had received it and he said he had. He gave me no indication that he knew who Don Turton was, except that he was a constituent who came in for an appointment. That is what I am saying in my statutory declaration.

The CHAIRMAN: Thank you very much for your time.

We discussed earlier your providing any copies of printouts from your database or electronic file notes relating to Messrs Turton and Gaunt.

Ms Russell: That would be a file note with a date, the electorate appointment and time.

The CHAIRMAN: Please provide any notes you have as soon as possible.

Ms Russell: I will do them tomorrow.