



Ian Cook

Proprietor | Cook Foods

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1 December 2021.

Dear Commissioner Kershaw,

The following document that I am providing to you relates to the serious and pre-meditated actions of the CEO of the City of Greater Dandenong.

These Actions had a devastating effect on the lives of 41 employees who lost their livelihoods due to the alleged criminal corruption which is detailed in the attached document. As you will see in this document a number of the key allegations relate directly to Federal laws.

This matter is of significant public interest, particularly in Victoria where the matter has been labeled #SlugGate by the Local Media and State Politicians.

There are also serious concerns that a number of attempts by Victoria Police to investigate this matter have been derailed as a result of political interference at a State Government level.

The officers responsible for derailing the investigation into the State-based Crimes have close relationships with the City of Greater Dandenong and its CEO John Bennie. We also have retired members of VicPol who can provide you with evidence as to who these individuals are.

On Behalf of my employees my Family and the General Public I am asking you to please investigate these serious Federal Crimes as soon as possible.

Yours Sincerely,

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**AFP Commissioner,
Reece Kershaw
Australian Federal Police,**

SUBJECT: John BENNIE, C.E.O. City of Greater Dandenong – Board Member of Community Chef – Held both Positions at the same time which were incompatible with each other – Behaved and Acted Corruptly and Criminally in that he Breached Section 184 Corporations Act

Situation

John BENNIE is the current Chief Executive Officer for the City of Greater Dandenong (COGD);

COGD is one of the shareholders in Community Chef Pty Ltd;

I Cook Foods (ICF) Pty Ltd is Community Chef's largest competitor;

John BENNIE is one of the Directors of Community Chef;

John BENNIE as the CEO of the COGD and is ICF's regulator, this power invested in BENNIE is derived from Section 19(9) of the Food Act Victoria 1984;

John BENNIE regulates Community Chef's main opposition company, I Cook Foods;

On the 21 February 2019 ICF's business was unlawfully closed by the Department of Health and Human services (DHHS) in consultation with [REDACTED] members of the COGD under the watch and instruction of John BENNIE;

On the evening of 21 February 2019, John BENNIE declared a 'Conflict of Interest' in that he occupied two positions – CEO of COGD and Board member of Community Chef;

In spite of the Conflict of Interest and the declaration of a Conflict of Interest, John BENNIE was involved in all discussions including direct discussions with the Acting Chief Health Officer, Brett SUTTON relating to the [REDACTED] closure of ICF on the evening of the 21/02/2019;

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John BENNIE [REDACTED] did not involve the City of Greater Dandenong Council even though the Council also has the same authority as BENNIE. NB: A full council meeting would be required to make a decision on the closure of I Cook Foods. The ONLY elected Council member informed of the impending closure was the then Mayor Roz BLADES who colluded with BENNIE;

The information that John Bennie acquired about ICF's closure was as a direct consequence of his position as the CEO of COGD;

The following morning on the 22 February 2019 at 9.30 am John Bennie attended a board meeting of Community Chef at the RACV Club, Bourke Street, Melbourne;

At this meeting John BENNIE informed his other Directors of the closure of ICF;

At this point in time ICF's other competitors did not know of the closure;

Divulging this information by BENNIE was prior to any public announcement by SUTTON;

The other Directors of Community Chef did not prevent John BENNIE from divulging commercially sensitive and confidential information that he had acquired by virtue of his position as the CEO of COGD;

After John Bennie had informed the other directors of this information the Directors of Community Chef acted on John BENNIE's information;

Community Chef approached the Municipal Association of Victoria (MAV) to inform ICF's customers that Community Chef would be able to provide meals in place of I Cook Foods;

In the thirty-seven (37) days to the 31st of March 2019 Community Chef directly benefited by gaining \$97,798.00 in extra sales from ICF's customers, which annualised is \$964,764.00;

At the time of these actions by John BENNIE, Community Chef was deemed to be trading insolvent by the Victorian Auditor General's Office (VAGO).

John BENNIE is in breach of Division 1 General Duties Sections, **180, 181, 182, 183, 184 Good faith, use of position and use of information—criminal offences** of the Corporations Act 2001;

John Bennie was actively and directly involved in the [REDACTED] closure of I Cook Foods which resulted in the destruction of a 30-year-old family business and 41 employees losing their livelihoods. 16% of I Cook Foods' workforce had a disability including a profoundly deaf girl who has not been able to find employment since the unlawful closure.

Evidence

I Cook Foods is in possession of the Community Chef Board Papers and Financials since its inception in 2010 to its takeover for \$1 per share for 17 shares in 2020;

The Board Papers include the history of yearly losses from 2010 to 2020;

The loans provided by the Federal Government, State Government and the ANZ Banking Corporation amounting to approximately 30 million dollars;

There is no accountability for borrowings including the loan(s) from the ANZ;

Letter provided by Kim PEAKE to John CHRISOPHERSON (Chairman) of additional loans to prevent Community Chef of being found to be trading while insolvent by VAGO;

Most of the taxpayer loans to Community Chef were provided on the basis that the loans would pay themselves off over a specific period of time.

The minutes of the Board meeting dated 22 February 2019, clearly show BENNIE divulging sensitive and confidential information at the RACV Club and then trading on that information;

In an email dated the 25 February 2019, John BENNIE writes to all of the Councillors of COGD explaining to them that he could not inform them of the I Cook Foods Closure because SUTTON had told him that, (SUTTON) *"Wanted that direction kept confidential until the order had been served and DHHS had placed its position in the public domain."*

John BENNIE is clearly aware that this is confidential information and in fact keeps this confidential information from his own Councillors but BENNIE was quite happy to share this sensitive and confidential information with the Directors of I Cook Foods' competitor, Community Chef.

The Parliamentary Inquiry into the unlawful closure of I Cook Foods where the contents of the minutes of the Board meeting were put to the CEO of Community Chef, Joe CICCERONE by Georgie CROZIER; CICCERONE's response to Georgie CROZIER during the Parliamentary Inquiry to the Board meeting on 22 February 2019, CICCERONE states, "Thank you for the question, Ms CROZIER. Firstly, I am surprised that our board papers have been made available to anyone. We have received no FOI request for their release, so I am actually quite surprised they are in anyone's hands." I Cook Foods are in possession of the Board Papers which have been lawfully obtained (*ref: Parliamentary Inquiry Transcripts P.53 para 6*).

After it was announced at the Parliamentary Inquiry, the Board Minutes relevant to the morning of 22 February 2019 were taken down;

I Cook Foods is in possession of the Board Minutes which have been lawfully obtained.

Conclusion

John BENNIE whilst in the position of CEO of Dandenong Council and Food Premises Regulator of Community Chef's main opposition company, I Cook Foods, should never have accepted the role of Board Member to Community Chef;

In doing so, BENNIE has shown a blatant disregard for the law, morally and ethically and in his position as CEO, should have known better than to act in this [REDACTED] manner;

BENNIE who is on a salary of over \$400,000.00 and tasked as the CEO of the City of Greater Dandenong has conducted himself in a manner that is contrary to the expectations and obligations of a CEO.

Action

I Ian COOK of I Cook Foods respectfully request that John BENNIE, CEO of the City of Greater Dandenong, Victoria be investigated with respect to breaches of the Corporations Act and the serious allegations [REDACTED] in connection with those breaches.

The investigation of this matter is in the public interest because if John BENNIE and other Directors escape justice then they will be emboldened to repeat their actions [REDACTED] with impunity.

I Ian COOK will provide all the available evidence and any other assistance as necessary and as required to support the veracity and truthfulness of these serious allegations.

Forward for information and consideration.


[REDACTED]
Ian COOK
[REDACTED]