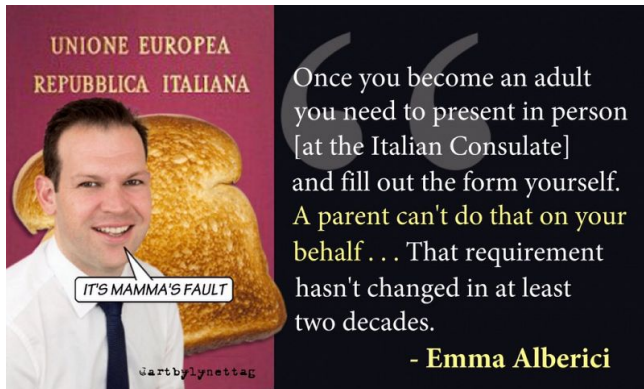


# The Canavan file: The curious case of a crime and a Senator becoming Italian

By Peter Harden

26 August 2017



**Senator Matt Canavan had claimed his mother Maria had applied for Italian citizenship in 2006, then his barrister told the High Court Maria's actions were "irrelevant". What's not being discussed is Bryan Canavan's 2007 fraud conviction. Anti-corruption researcher [Peter Harden](#) builds a timeline from his voluminous file notes.**

## 25 JULY 2017: Canavan resigns from ministry over dual citizenship

In late July, Senator [Matt Canavan](#) told reporters in Brisbane that he was not born in Italy and had never visited the country. His mother, Maria, who has never visited Italy either and was born in Australia, registered herself and her son for overseas citizenship at the Italian consulate in Brisbane in 2006.

*"According to the Italian Government, I am a*

*citizen of Italy,"* said Senator Canavan.

Senator Canavan said he did not sign the Italian citizenship papers himself:

*"I had no knowledge that I had become an Italian citizen, nor had I requested to become an Italian citizen,"* he said.

*"Following the resignation of senators Ludlam and Waters last week, my mother raised with me the possibility that I was, in fact, an Italian citizen on Tuesday evening."*

Attorney-General George Brandis said the Government would refer the matter to the High Court when Parliament returns.

Matt Canavan was going to be okay, though, said the Attorney-General:

*"It is the Government's preliminary view that because the registration was obtained without Senator Canavan's knowledge or consent, that he is not in breach of Section 44 of the constitution."*

**Apparently, Matt has been Italian since he was two!**

Senator Matt Canavan has been an Italian citizen since age TWO. There goes the classic "my mum did it"

defence <https://t.co/Lyajcw7soNpic.twitter.com/qBpAnxfCq>

— Josh Butler (@JoshButler) [August 24, 2017](#)

Soon after the media released [Robson](#) of the government's news from the rising statistics, ["sloppy"](#) Matt Canavan he had been a [wider](#) since he was a dual-citizen when he two years old, [some](#) special [Italian](#). It comes as the Matt Canavan has [granted](#) [Newspaper](#) have reportedly to divert attention [away](#) from his previous claim — that [he](#) had applied for Italian [citizenship](#) [in](#) 2006. [May 2007](#) his knowledge in 2006. [May 2007](#) more than 12 months.

According to Matt Canavan's barrister, it is administered by [various](#) and revealed he's been an Italian citizen since he was two years old. [@GeorgiaDiner7](#) [#7News](#) <pic.twitter.com/85cVL6JvQA>

**What was the real date Maria applied for citizenship?** Canavan (born 5/8/59) was

There is now significant confusion and speculation about the actual date that Maria applied to be added to the Registry of Resident Abroad at the Italian consulate in Brisbane. Canavan (and the co-accused) In the [High Court hearing on Thursday](#), Canavan's barrister said it was in 2005, yet Canavan himself [said](#) it was in 2006. [Centre](#) in

Brisbane on 18 of the [January 2007](#). application by Maria Canavan remains unknown. [Bryan](#) and [Canavan](#) vitally important pieces of information, given the timing of his father, [Bryan](#) Canavan's, 2007 incarceration for [fraud](#) (More about that [below](#)) during his time as a

Then there is also the question of why Maria applied for citizenship within the time frame [the](#) [review](#) [of](#) [her](#) [children](#)? Surely the Italians would have told her [before](#) when she first enquired [about](#) applying?

**Media reports after Canavan's resignation** [Courier-Mail](#) [has](#) [said](#) [it](#) [will](#) [play](#) [out](#) [in](#) [the](#) [High](#) [Court](#) [case](#) [of](#) [Judge](#) [Canavan](#) [and](#) [his](#) [wife](#) [M.E. Rackemann](#) <https://t.co/aa3cc3cnH>

[EZ](#) [advised](#) [he](#) [is](#) [making](#) [arrangements](#) [for](#) [his](#) [Boring](#) [imprisonment](#) [for](#) [7](#) [months](#) [with](#) [eligibility](#) [for](#) [parole](#) [set](#) [at](#) [17](#) [November](#) [2008](#). Canavan, who was jailed with a colleague over a \$1.6 million fraud against his former employer Nestle between 2001 and 2004, and their June 2004 report set out the [allegations](#). [and](#) [subsequent](#) [jail-term](#) [had](#) [anything](#) [to](#) [do](#) [with](#) [his](#) [mother's](#) [decision](#) [in](#) [2006](#) [to](#) [register](#) [herself](#) [and](#) [family](#) [members](#) [as](#) [a](#) [third](#) [party](#), ["Italian](#) [citizens](#) [abroad"](#) - a form of citizenship with the consulate in Brisbane. [I](#) [am](#) [not](#) [going](#) [to](#) [go](#) [into](#) [all](#) [the](#) [personal](#) [details](#) [of](#) [those](#) [things](#) [Bundaberg](#).

because they are not relevant to my position in the Senate," he said.

"It was a tough time for our family, as I say we stood together really strongly and I am proud that we did and we got through it and I am not going to go into any further details on that matter."

### Bryan Canavan's embezzlement and Maria Canavan's application

**Courier-Mail: May 22, 2007**

**Managers milked Nestle of \$1.6m**  
As part of the loyalty program, independent retailers entrusted to guard against fraud at one of the world's biggest rewards by companies but instead stole nearly \$1.6 million. Prosecutors awarded the District Payable Brisbane system, Bryan Michael Canavan and Phillip Michael Gardiner held senior positions with Nestle Australia Ltd but during a 3 1/2 years period stole cash and property for no other motive than 'greed' not clear in the documents why he was not charged.  
The accused are stated to have manipulated a loyalty program (by altering invoices) so that cheques were issued to obtain benefits and property they were not entitled to".  
The arrangement between the two accused and the third

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The arrangement between the two accused and the third

party was that the money received was shared equally.

Allegations against Mrs Canavan and Mrs Gardiner having received Australia Post money orders totalling at least \$307,672.42, were rejected in the Property Offence Schedule, on the basis the wives had no knowledge of the sources of funds that were deposited into accounts in their names and had been misled by their accused husbands.

Bryan left Nestle and worked at Ray White Coorparoo from September 2004 until he was taken into custody in January 2007. Between September 2005 and January 2007, Bryan Canavan

sold six of his Brisbane and Gold Coast properties (at Hope Island, Mitchelton, Camp Hill, Wo olloongabba, Bulimba and Cannon Hill) to make repayments to Nestle.

Maria Canavan in her statement to the court (dated 12 July 2006) stated she was a full-time employee of the Commonwealth Bank for 11 and a half years. Maria states that her son Matthew was working as an economist at the [Productivity Commission](#) in Canberra, her other son John was working as a tax accountant with Deloitte in Brisbane and daughter Emma was a journalism student at the time.

John Canavan's statement to

the judge of the district court is dated 8 January 2007 and Matthew Canavan's statement is dated 16 May 2007. In their statements, Maria, John and Matthew each provide character references for Bryan.

*John Learmouth with [Stephen Bennett](#), the current Bundaberg-based LNP MP (Image screen shot [stephenbennettmp.com.au](http://stephenbennettmp.com.au))*

### **Bryan Canavan today**

Bryan Canavan was released from prison on parole after only serving a small part of his sentence.

These days, he works as a real estate agent. On his [current real estate](#)

[profile](#) on the [Stroud Homes](#) website, he proudly quotes both he and his wife Maria's property investment experience.

*'Over the years, Bryan has not only been on the Sales side of the New Homes market, but together with his wife has built seven new homes, for both residential and investment purposes. The most recent project was a brand new investment property in East Ipswich.'*

### **What happened to all the money?**

Nestle engaged "Big Four" accounting firm KPMG to conduct a forensic investigation.

The KMPG

report (June 2004) set out the allegations.

As part of the loyalty program, independent retailers obtained rewards by way of claims processed through the accounts payable system. The accused are stated to have manipulated a loyalty program (by altering invoices) so that cheques were issued to obtain benefits and property "they were not entitled to". The arrangement between the two accused and the third party was that the money received was shared equally. Allegations against Mrs Canavan and Mrs Gardiner having received Australia Post money orders totalling at least

\$307,672.42, were rejected in the Property Offence Schedule, as mentioned above, on the basis they were deceived by their husbands. (Independent Australia does not allege any impropriety on the part of Mrs Canavan or Mrs Gardiner.)

In December 2006, a deed of settlement was entered into between Nestle, the two accused men and their wives in favour of Nestle, for the amount of \$1,593,427.95.

In a strange twist, in 2008, KPMG employed Matt Canavan as an economist.

### **Unanswered questions**

There are still a number of questions waiting to be answered about this affair:

- What was the real date that Maria applied for Italian Citizenship for Matt, John and Emma?
- Why didn't the third man in the Nestle fraud case (John L earmonth) get charged?
- Why didn't the MSM report the link to Matt Canavan?
- Why did KPMG employ Matt given their investigations into his father's

- crime?
- The Queensland Property market was booming over the timeframe of the investigation and court case. Did Bryan and his family make a profit out of any of the investments they made with the proceeds?
  - Did any of the crime proceeds get used by Matt's election campaign directly or indirectly, considering Bryan worked

on  
Matt's  
Campaign  
in  
2013.

*Screenshot of Bryan Canavan's LinkedIn profile, before it was removed*

There is significant public interest and a context to asking these questions, given the senior role Senator Canavan holds in the Government as Minister for Northern Australia, and especially considering his role with the Adani project in QLD, who have applied



for nearly \$1 billion of tax payers money.

At this stage in our story, integrity becomes vital.

## **TIMELINE OF EVENTS**

### **2005**

The Canavan's have a family discussion about becoming Italian citizens. Maria Canavan, mother of Matt, was born in Australia but has Italian-born parents. Matt expresses no interest in becoming an Italian citizen.

### **2006**

Maria registers herself and family members as "Italian residents abroad" - a form of citizenship - with the Italian consulate in Brisbane. Written form signed by Maria includes

25-year-old son Matt, plus his brother and sister John and Emma. Matt is not immediately told of the form being lodged, but eventually becomes aware of his mother's Italian citizenship.

### **2007**

#### **JANUARY**

**18:** Italy registers Matt as an Italian citizen.

**18:** According to the verdict and judgement record from the District Court of Queensland (at Brisbane), Bryan Michael Canavan (born 5/8/59) was held in pre-sentence custody from 18 January 2007 until 23 May 2007. Canavan (and the co-accused P.M Gardiner) were taken into custody at the Arthur Gorrie Correctional Centre on 18 January 2007.

## **MAY**

**23:** Bryan Michael Canavan, Matt's father, gaoled with a colleague over a \$1.6 million fraud against employer Nestle between 2001 and 2004.

## **2008**

Matt takes up a position with KPMG in Brisbane.

## **2009**

Matt becomes a director of the Productivity Commission.

## **2010**

Matt joins Nationals, becoming chief of staff to then-senator Barnaby Joyce.

## **2013**

### **JULY**

**1:** Matt elected to the Senate for the Liberal National Party in Queensland.

## **2015**

## **SEPTEMBER**

Matt appointed Nationals whip in the Senate.

## **2016**

### **FEBRUARY**

Matt appointed Minister for Northern Australia.

## **JULY**

Matt re-elected and appointed Minister for Resources and Northern Australia.

## **2017**

### **JULY**

**18:** Maria, having seen news stories about two Greens senators' citizenship problems, contacts Matt to tell him he could have an issue. Nationals leader Barnaby Joyce is informed.

**24:** Matt receives advice from Italian embassy,

which confirms it processed an application form but it was not signed by Matt.

**25:** Matt resigns from cabinet as he seeks legal advice on his status. He tells reporters he is a “citizen of Italy” despite not having been born there or visited the country. He says he never received any correspondence from Italian authorities. Government’s preliminary legal advice says because the registration was obtained without Matt’s consent or knowledge he has not breached Section 44 of the constitution. Under Section 44 a person is disqualified from being elected if at the time of their election they are a citizen of “a foreign power” or

otherwise have an “allegiance, obedience or adherence to a foreign power”.

## **AUGUST**

**8:** Government to move Senate motion to refer the matter to the High Court.

**24:** First hearing at the High Court. Matt Canavan's barrister Mr David Bennett QC said Maria Canavan’s 2005 actions were now “irrelevant”.

*(Sources: Brisbane Direct Court Documents, Canavan, Joyce media conferences; 7News; Parliament House website; AAP)*

**You can follow [Peter Harden](#) on [Twitter](#) @hardenuppet.**

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[July 27,](#)  
[2017](#)