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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 2 SEPTEMBER, 2019

AT 10.00AM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Mr Robertson.

MR ROBERTSON: Chief Commissioner, can I summarise the intended program for this week? Today I'll continue with Mr Wong. I expect to be most of the day, but I expect to finish today. Once I am finished, he'll be available for cross-examination by those with leave to cross-examine. My best guess is that we won't finish with Mr Wong today, but that will depend on how quickly we proceed during the course of today.

10 After I'm finished with Mr Wong, and after any cross-examination or re-examination has occurred, I'll then call Mr Wong's assistant, Ms Winnie Huang. That will occur during the course of Tuesday. Then on Wednesday, I anticipate calling Mr Kenny Zhan and Mr Alex Wu of Wu International. On Thursday, I will recall Ms Murnain for some brief further examination by me, but then for cross-examination by those with leave to cross-examine as well as re-examination.

20 And I apprehend calling Mr Ian Robertson on Friday. As presently advised, I will call Mr Robertson at some time on Friday in any event, even if Ms Murnain's cross-examination isn't finished, because in my respectful submission it's appropriate that Mr Robertson have an opportunity to give evidence in light of some of the matters that have already been addressed in this public inquiry so far. On Friday, as I apprehend it, the Commission intends to adjourn at lunchtime, so at about 1 o'clock on Friday. That may well mean that Mr Robertson's examination or cross-examination isn't completed this week, and will spill over until next week. But in the event that there's a change to the provisional program that I've just outlined, I will let interested parties know as soon as I'm in a position to do so.

30 THE COMMISSIONER: Thank you, Mr Robertson. Yes, good.

MR ROBERTSON: That's the only matter by way of housekeeping, and I'm ready to proceed further with Mr Wong.

THE COMMISSIONER: Ready to proceed? Yes, thank you, Mr Wong. I'll readminister the affirmation. If you wouldn't mind just standing there, thank you.

THE COMMISSIONER: Thank you, Mr Wong. Just take a seat.---Yes, Commissioner.

MR ROBERTSON: Mr Wong - - -?---Yes, Mr Robertson.

10 - - - at the completion of your examination on Friday, I invited you to carefully consider the answers that you'd given to the Commission during the course of Friday, and in particular, whether you had given truthful answers during the course of Friday morning, and I indicated that on Monday morning I would ask you as to whether you adhere to the evidence that you gave to the Commission on Friday. Do you recall that?---Yes.

Now that you've had that opportunity, do you adhere to all of the evidence that you gave to the Commission on Friday?---Yes, I adhere.

20 You accepted on Friday that some of the revenue that was earned in connection with the Chinese Friends of Labor event in March of 2015 was in fact deposited into a bank account that was not associated with the Australian Labor Party or Country Labor Party, correct?---Yes.

And you accepted that at least \$12,200 of the revenue from the March 2015 event was banked into the Friends of Chinese Community Incorporated bank account, correct?---Yes.

30 Was that the extent of the money that was earned from the Chinese Friends of Labor dinner in March 2015 that was deposited into accounts other than those associated with the Australian Labor Party or Country Labor, or was there other amounts of money that was deposited in accounts not associated with those two political parties?---I don't have a clear recollection of what exactly has been extracted from that particular event, but I do believe that there would be a few cashes I think that would be deposited into the, into the account to reimburse the, the event of the media conference before.

40 So when you say the account, what account are you now referring to? Is that Friends of Chinese Community Incorporated?---Yeah, Friends of Chinese Community, yes.

So was the only other entity that was not associated with the Australian Labor Party or Country Labor that received any of the revenue from the Chinese Friends of Labor event on 12 March, 2015?---To my best recollection, yes, I think that is.

And do you recall at least in general terms how much money on top of the \$12,200 would have been dealt with in that fashion?---Yeah, I don't have any recollection. Probably about \$3,000 I think.

You recall, don't you, that one of the sources of funds on 12 March, 2015, was a raffle, correct?---Yes.

Do you know where the money from the raffle was ultimately deposited?
---I think that probably would be the raffle moneys.

Sorry, say that again?---The \$3,000 probably will be the raffle moneys I think.

10

So you're referring to \$3,000 raffle money. Is that right?---Yeah, I suppose so, yeah.

And where do you say that revenue was deposited?---Friends of Chinese Community I believe.

20

Can we go please to Exhibit 184, which is the payments register document, and can we go please to PDF page 4 of that document. That's also volume 3A, page 42 of the public inquiry brief. Mr Wong, you will recall that this is a document that you and I discussed on Friday which I called the payments register document. Correct?---Yes.

And can we go please, operator, to the first page of that document which is PDF page 3, the preceding page. And we talked a little bit about the headings that you see that top of the screen. Correct?---Yeah.

Now, we talked about FCC, Friends of Chinese Community?---Yes.

30

But do you see the next column called CFL? I take it that stands for Chinese Friends of Labor?---Yes.

And, operator, if we can go down now please to PDF page 6, which is page 44 of volume 3A. And can you see, Mr Wong, there's a figure of \$12,200 that you and I discussed on Friday?---Yeah.

Do you see that there?---Yeah.

And next to that is a figure of \$4,080. Do you see that there?---Yeah.

40

Now, that's the total figure of the Chinese Friends of Labor, the CFL column, of about \$4,080. Do you see that there?---Yeah.

Now, where did that \$4,080 go, in other words, the total of the Chinese Friends of Labor column on your payments registry sheet?---I do not have any recollection of that. I don't think there is an account of Chinese Friends of Labor at all.

And so where then would money in your spreadsheet for Chinese Friends of Labor, where would that money end up?---I suppose that would be the Labor Party.

So you're - - ?---When it say Chinese Friends of Labor, that probably would refer to Labor Party.

10 So your best recollection is that the \$4,080 that's referred to there would have ended up in an Australian Labor Party of Country Labor Party bank account?---I assume they would be, yeah.

You don't have a specific recollection of that?---No, I don't.

That's your best guess sitting there now. Is that right?---Yes.

And if you see the next row, it says, "Raffle Tickets \$3,910." Do you see that there?---Yes.

20 And that's a reference to the roughly \$3,000 you referred to a moment ago. Correct?---I suppose so, yes.

And I think you agreed that that money didn't end up in an Australian Labor Party or Country Labor Party bank account either. Correct?---Yeah, yes.

That's money that was kept by Friends of Chinese Community. Correct? ---Yes.

30 Can we go back please, back two pages, page 42 of volume 3A, PDF page 4. Can I ask you to have a look at about three-tenths of the way down the page where we have table number 25, Sydney Today. Do you see that there?---Yeah.

And on the left-hand side column, the payment column is \$5,000. Do you see that there?---Yes.

40 Now, we read this table, don't we, as saying that Sydney Today had agreed to pay \$5,000, but because the \$5,000 figure is found in the Friends of Chinese Community Inc column where you see the \$5,000 figure a couple of columns on, that money was ultimately kept by Friends of Chinese Community Incorporated. Correct?---Yes, yes.

Can we go please to volume 2, page 207. I'm just going to show you an invoice that appears to have been prepared by NSW Labor to Sydney Today for \$5,000. Do you see that there?---Yep.

And the description is, "Chinese Friends of Labor, NSW Labor Chinese Launch, 12 March, 2015," correct?---Yep.

If you have a look in the bottom right-hand corner you see that it's an invoice for \$5,000 but it says, "Paid to date, \$0." Do you see that there?
---Yeah.

Now you ultimately told NSW Labor to write that invoice off, didn't you?
---No, I do not have any recollection of that.

10 So are you denying that you told NSW Labor to write it off or are you just saying you don't recall one way or the other?---I do not recall.

But it's possible that you did give that instruction, is that right?---No, I didn't recall, I didn't recall.

Yes. You don't recall but it's possible that you gave that instruction, is that right?---Not that I am able to give that, that instruction at all. I don't think that I have that authority to give instructions as such.

20 Well, you at least had communications with both Mr Cheah and the Finance Department as to how amounts should be processed in connection with the Chinese Friends of Labor dinner, correct?---Not to my recollection.

Is it your serious recollection that you had no communications at all with anyone in the Sussex Street office as to how payment should be processed in connection with the Chinese Friends of Labor dinner, is that your evidence?---No, not really. Probably I will have discussions in regards to, throughout the whole process but I can't say, I can't say that I deny a hundred per cent.

30 And I than you accepted on Friday that it was you and your office that was maintaining the payments register, correct?---Yes.

And so it was you who knew who had indicated that they were going to attend the event and who should be paying for the event, correct?---Yes.

And so you were therefore the source of information as to where money should be chased up from in relation to the event, correct?---Yes, yes.

40 And as part of that role, you had communications with the Sussex Street office in relation to any queries in relation to processing and payments, correct?---Yes. You can say that, yeah.

Can we go please to - - -

THE COMMISSIONER: Just before you move from there, just so that I can understand this invoice, the invoice you were shown a moment ago. The invoice is an acknowledgement of payment of \$5,000, is that right?

MR ROBERTSON: No, Chief Commissioner. It's an invoice indicating a balance due of \$5,000.

THE COMMISSIONER: I see, balance due.

MR ROBERTSON: And if you have a look, Chief Commissioner, immediately above that, "Paid to date," says \$0.

THE COMMISSIONER: I see. Thank you. That clarifies it.

10

MR ROBERTSON: And so, Mr Wong, in relation to the invoice that's on the screen, are you denying that you told the Sussex Street office to write off this invoice? In other words, although the invoice says that Sydney Today Pty Ltd owes \$5,000 to NSW Labor, that should be written off so that NSW Labor accounts indicate that Sydney Today doesn't have to pay anything in relation to this invoice. Is that your evidence?---I have no recollection of that at all.

20

You have no recollection one way or the other, is that right?---Yes.

Can we turn the page please to page 208 and can you just have a look about half the way down the screen, Ms Maggie Wang, you know her to work in the Finance Department of NSW Labor, correct?---(No Audible Reply)

Mr Wong, you know who Maggie Wang is?---Yes. Sorry?

You know who Maggie Wang is?---Yes, of course I do, yeah.

30

And you know that she worked in the Finance Department of NSW Labor? ---Yes, yes.

And she worked there in 1025, correct?---Yes.

And can you see there that she's writing to Kenrick, to Mr Cheah, saying, "Let us know what should be done with the invoice that I've shown you on the previous page." Do you see that there?---Yep, yep.

40

And then Mr Cheah says, "I can't remember the details but Ernest explained it to me ages ago." And then first line, "Please write this one off." Do you see that there?---Yes.

Now, I want to suggest to you that you told Mr Cheah, in response to his enquiries, that the Sydney Today invoice should be written off. Do you accept that?---I can't remember exactly what we have discussed. But I said before, I did communicate with Kenrick Cheah and I have asked him to convey that to head office in regards to where some money should be allocated to another organisation to help to fund for all those other Chinese

events. So probably that was something that we have discussed but I have got no recollection at all.

But I'm asking you specifically about the Sydney Today invoice that I showed you a moment ago, you understand that?---Yes, yes. Yes, of course I do.

10 And what I want to suggest to you is that you told Mr Cheah specifically that the Sydney Today invoice should be written off because NSW Labor's accounts shouldn't show that Sydney Today Pty Ltd owed any money to NSW Labor in connection with the function in March of 2015. Do you accept that?---By looking at it, I think so, yes.

So now that you've looked at it, you accept that you probably gave that advice or instruction to Mr Cheah. Is that right?---Probably a discussion rather than instruction as such, because I say so before, I don't have any authority to do that, but I have discussed that with, with Kenrick I believe.

20 So your best recollection now, seeing this email, is that you had a discussion with Mr Cheah in which you suggested that the Sydney Today invoice should be written off. Correct?---Yes.

And the reason that you did that was that as we've seen in the payments register, you had decided that the Sydney Today money was to go not to NSW Labor or Country Labor, but rather to Friends of Chinese Community Incorporated. Correct?---Yes.

30 THE COMMISSIONER: What authority did you have to make that direction?---I say so, no, I don't have any authority, but there's something that I have discussed with Kenrick and also ask him to convey that message to, to the head office in regards to where, if they will be able to allocate certain money from their fundraising to be able to find the later on volunteers all those events that will be carried out and at the end of the day I didn't get a definite answer in regards to if they would be able to do it or not. So I did suggest that might as well just get some money out of the fundraising to go to another organisation maybe to fund for those activities and events.

40 There's no accountability here, is there? You have a conversation with a relatively junior employee, Mr Cheah, at the time, about writing off this amount. Correct?---Yes.

And in effect you left it on the basis that your view is it should be written off and he would act accordingly. Is that right?---Yeah.

Well, where's the accountability in that?---Well, that be - - -

This is money which on the face of it was destined for Labor NSW, wasn't it?---I cannot assume that because I'm not too sure what will be the process, but I assume that he probably would be able to communicate that with the officials in the party.

In order to pay the money to what, an unspecified organisation for alleged expenses?---I have to assume that though I think at the time.

10 MR ROBERTSON: I just want to unpack some of the answers you've just given to the Chief Commissioner. Can we go back, please, to Exhibit 184, the payments register, and we'll go back one previous page so we can see the column headings. Now, this is a spreadsheet that you maintained, wasn't it, Mr Wong?---Yes.

You maintained it as a document, as an electronic document in your Parliament House office. Correct?---Yes.

20 Now, it was you that decided whether particular figures with appear in the FCC, Friends of Chinese Community Incorporated column, wasn't it?
---Yes.

You didn't ring Mr Cheah for example and say, well, I'm going to put \$800 for Mr Auga for table 1 and \$800 for Mr Auga for table 2 in that column, did you?---I don't suppose I would give a definite sort of like details of each single organisation, but those organisation I have communicated with them before the event to see if they'd be able to happy to donate that to another organisation called Friends of Chinese Community.

30 I see. So it's your evidence, is it, that every time we see a figure in the FCC column, the Friends of Chinese Community column, you had a discussion with the donor - - -?---Yes.

- - - and you got them to confirm that they wanted to pay money to Friends of Chinese Community - - -?---They're happy to, yeah.

- - - rather than NSW Labor. Is that your evidence, is it?---Yes.

40 Every occasion on which we see any figure in the Friends of Chinese Community column. Is that right?---No, I've got no clear recollection of all of those but I assume they would be, yes.

Well, no, I'm not asking - - -?---I did, I did call them, yes.

I'm not asking about your assumption. Is it your evidence that every time we see a figure in the Friends of Chinese Community column as an amount going to that organisation rather than to a Labor Party organisation, you did

that with the express authority of the donor. Is that your evidence or not?
---Express authority, no, but just asked for their consent, if they are happy to donate that to that particular organisation rather than the Labor Party.

Well, I want to be quite clear about this. Are you saying that every time we see a figure in the Friends of Chinese Community column on this payments registry sheet, that you had had a discussion with the donor – for example, Mr Auga – and that donor has said that they’re happy for their money in relation to the Chinese Friends of Labor NSW Labor Launch to go not to Labor, but to go to an organisation not associated with Labor, namely Friends of Chinese Community, is that right?---Yes.

On every occasion, is that right?---I believe so.

And so it follows from that, does it, that you had a discussion with someone from Sydney Today, and Sydney Today confirmed that they were happy for their money to go to Friends of Chinese Community rather than to the Labor Party, is that right?---I would have talked to one of the person who is actually responsible for that, for that table, not all of them.

20

THE COMMISSIONER: And for accountability purposes, in relation to such payments recorded in the FCC column, once you obtained the consent of the donor, you made a record of that consent, did you?---No, I didn’t, no.

Well, why would you not? You go to the trouble of obtaining consent, you say, from a donor. Why would you not create a record that the donor has consented for the money not to go to Labor NSW - - -?---Probably because I - - -

30 - - - but to go to some other organisation?---Yeah, probably because at the time I never actually had in mind that I need to kept a record of such.

But you’re dealing with other people’s money, aren’t you, donors’ money here?---Yes. Yes.

And there’s got to be fundamental accountability all the way, hasn’t there, with donations?---Yep. Sure.

40 And therefore, if you needed the consent of the donor, you’d do two things. You would speak to the donor to get the consent, and then you would, well, would for accountability purposes, faithfully record that somewhere in the Labor Party records, wouldn’t you?---Since now you remind me, yeah, that would be a right practice, but I did not practice that at the time. I didn’t, I - - -

But why didn’t you?---I don’t think there is a particular mentality of doing that back then. We have got, no, at the time I had a bit of assumption that there is a, there has been (not transcribable) by the head office in regards to

trying to get some funding to help with a lot of those events. And I, and then I just have not thought, as soon, as long I would be able to talk to the persons responsible, say, "Look, will, will you be happy to put those money into another organisation, help with the same with the Chinese community event?" And if they say yes, then I assume that would be a, a, a good consent that I can, I would be able to work on.

MR ROBERTSON: So focusing then on Sydney Today - - -?---Yes.

10 - - - is it your evidence that you had a discussion with someone from Sydney Today, and that they confirmed that they were happy for their money, for a table for the Chinese Friends of Labor NSW Labor Launch to go not to Labor, but to go to an organisation unaffiliated with Labor, namely Friends of Chinese Community Incorporated, is that your evidence?---Yes.

Who was it within Sydney Today that you had that discussion with?---I really can't remember. I believe I called a friend, a friend called Lam, Lim, I think Lim, and I ask him if he would be able to get a table. He said, yeah, he will be able to get the, his friend to come along. And I, and then I think
20 that was before him, I ask him, say, "Look, probably this money would like to go to the Chinese Friends, Friends of Chinese Community." He say, "Yeah, it's okay, as long as it's, you know, supporting the, the Chinese community."

And is it your evidence that you didn't have a specific discussion with anyone within the Sussex Street office to confirm their consent to that particular amount of money going to Friends of Chinese Community rather than Chinese Friends of Labor, is that right?---Okay. Now, yeah, this particular money of the Chinese Friends of Labor, oh, the, the, the Sydney
30 Today, oh, no, I, I haven't. But I did actually indicate beforehand that some of those money I will like to, to, to allocate that to another organisation, yeah, with the friend, yes.

And you're now referring to the discussion that you mentioned on Friday with Mr Cheah, is that right?---Yes.

But you didn't have the consent of anyone else within NSW Labor other than Mr Cheah to proceed in that fashion, is that right?---Yep. There is no written authority as such or any of those (not transcribable), but as I said
40 before, there were a lot of, a lot of discussions throughout the whole process where I think that's (not transcribable) by the head office in regards to helping those action groups, particularly the active groups, if they'd be able to get some funding out of the propensity of Labor Party to run their forums or to run the events.

But to be clear, you didn't have any specific discussion with Mr Cheah or anyone else to say that Sydney Today is going to be buying a table for \$5,000 but we're not going to pay any of the money to the Labor Party,

we're going to keep it all for Friends of Chinese Community, is that right?
---If you want to be specific with this Sydney Today or the whole process,
no, I haven't.

And you never had any discussion with Mr Cheah or anyone else from the
Sussex Street office to say that a total of a particular figure, say \$12,200,
was not going to go into Australia Labor Party account but rather into the
unaffiliated Friends of Chinese Community account, is that right?---Yes.

10 I tender volume 2, pages 206 to 210 of the public inquiry brief, which was
the Sydney Today invoice and the emails concerning what I will describe as
the write off issue.

THE COMMISSIONER: Thank you. Yes, volume 2 of the public brief,
volume 2, pages 206 to 210 regarding the Sydney Today invoice and write
off become Exhibit 185.

20 **#EXH-185 – EMAILS BETWEEN MAGGIE WANG AND KENRICK
CHEAH TITLED ‘INVOICE #00040919; FROM AUSTRALIAN
LABOR PARTY (NSW BRANCH)’ DATED 1 AND JULY 2015 AND
ALP LABOR TAX INVOICE TO SYDNEY TODAY PTY LTD
NUMBER 40919 DATED 9 APRIL 2015**

MR ROBERTSON: Please the Commission. Mr Wong, is it fair to say
that, putting aside the head table, you would have expected about \$100,000
to be earned from the whole Chinese Friends of Labor event on 12 March,
2015?---Probably around that ball figure mark, yes.

30 And is that \$100,000 in revenue or \$100,000 in profit after expenses?
---Probably revenue, I think.

You communicated that or at least discussed that target with Mr Cheah, is
that right?---No. I think the target, look, when we discuss it, we were
talking about probably about 80,000. That is what I think I would be able
to, to get throughout the whole process where there will be people taking
more tables, people then sort of like, you know, saying that we, they would
not be able to take that table. So basically it would be very much like
40 updated every, throughout the whole process of it.

But is it fair to say that through those discussions, there would have been an
expectation at head office that the Chinese Friends of Labor event in March
of 2015 would achieve revenue of around about \$100,000, perhaps a little
bit less, perhaps a little bit more?---Yes.

Is that fair?---Yes.

And then just to understand the sources of money that arise from a Chinese Friends of Labor event, obviously enough there will be what I've described as table money, people buying seats and tables at the event, is that right?
---Yes.

And for this particular event, you could buy a seat for \$80, you could buy an ordinary table for \$800, a VIP table for \$2,000 and a VVIP table for \$5,000, is that right?---Yes.

10 And it'd be right to say, wouldn't it, that the VVIP tables will be the ones closest to the head table, correct?---Yes.

And the VIP tables will be close as week but not as close as the VVIP tables, correct?---Yeah, right, yes.

The VVIP tables are more likely to have a more senior shadow minister sitting on that table?---Federal, federal.

20 So the \$5,000 tables would have a federal shadow minister sitting on them, correct?---For the federal. Yes.

And the \$2,000 table would have a state shadow minister sitting on them?
---Yes.

And the VIP and the VVIP tables in fact had a red tablecloth on them, rather than white, is that right?---Yes.

30 And the normal tables, the \$800 tables would have a white tablecloth attached to them, is that right?---Yes.

That's one source of money. We've discussed the raffle as well. So that's a raffle that was run on the night, correct?---Yes.

But I think you've told us that the money from that raffle didn't end up in Australian Labor Party account, is that right?---No. Yes.

40 And is that the whole of the source of money that would be earned from a Chinese Friends of Labor event or are there other sources of money as well?---I don't recollect there are other sources of money.

Well, is it the case that at Chinese Friends of Labor events, as well as people paying for seats or tables, they also make donations on the night?---Yes, yes.

Is that a common occurrence?---It is, it is. Because there's always the case where, when people say, "Oh, I won't be able to come but I would like to donate money."

And so those donations, is it right to say, that those donations are usually in relation to people who want to support the event but can't attend the particular event, is that right?---Yes.

Is it common for people who attend the event to make donations as well? Or is it more common for them simply to pay for their ticket or pay for their table and perhaps buy a raffle ticket but not make an additional donation? ---I don't think they make additional donations. It's not, it's not usual at all.

10 So it would at least be rare for someone to attend the event and to make a donation on top of paying for their seat - - -?---Yes.

- - - paying for a table or perhaps paying for a raffle ticket, is that right? ---Yes.

And in that category of donations that we're talking about, principally people who don't attend the event but instead intend to make a donation, is that something that usually happens before the event or after the event or is it a combination of the two?---It's a combination of the two. It's a
20 combination of the two. Or then they probably would like to say, look, I wouldn't be able to come tonight but then I'm more than happy to make donations. So it would be sort of like throughout the whole process before, after or on the night.

In relation to people who have indicated that they wish to make donations prior to the event, how are those donations dealt with? Where does the money or the forms – credit card forms, cheques and the like – when does that, for a Chinese Friends of Labor event, tend to be provided?---Usually, like, they will be, if that's credit card or, or cheque, they usually will be
30 processed by the head office. But if it be cash, usually I would ask them to come along on the night if they will be able to, or they can actually hand it over or whatever other channels. There's no sort of like definite channel for them to do it.

But in terms of the coming along on the night, I think you said to us that it was unusual for people to make donations if they're already attending as a guest, is that right?---Yes. Yes.

40 And so in terms of money that might be received for donations on the night, we're talking about a relatively small amount of money, is that right?---Yes.

And so it would be rare, perhaps unheard of, for, say, tens of thousands of dollars in donations, as distinct from table money, to be brought along on the night, is that fair?---But not really, though, because that would be case-by-case or even by event. For this particular event, where because there were few people where they said they were coming on the night but then at the end of the day they would not be able to attend, so they would like to donate money to a chosen person who's organising the event.

Well, let's focus specifically on the 2015 event.---Sure.

In advance of the 2015 event, had anyone given you any indication that particular people intended to make donations on that night?---Yes.

10 And who were they?---Jonathan Yee actually told me in regards to some of his friends who were supposed to, to take a table, but then they said they wouldn't be able to, to, they wouldn't be able to get enough people to sit on the table, so they said they might as well just donate the money.

And so when you say friends, do you mean friends or do you mean employees or do you mean something else in relation to Mr Yee?---I think, I think Mr Yee told me friends and I have no recollection if it's employees or his family members or business colleagues.

20 And so I just want to be clear about this. Did you understand that Mr Yee had arranged donations in advance of the dinner? Is that your evidence? ---Yes.

30 And what arrangements had been made with Mr Yee as to what was to happen in relation to the money for those donations?---I have no idea. But the, the only question I had with Mr Yee was very much like, I asked Mr Yee, said, "Look, would you be able to get more tables? Because we have got at least five or, you know, those \$5,000 tables short." So he said, yep, he would be able to organise a few. So then there will be – I can't remember the exact date, but then he rang me up saying, "Look, there are a few of those people where they will not be able to take the table anymore but they're happy to, to put in money or to donate money." So that was the, the, the communication that we had.

But what arrangements were made in terms of the receipt of the money that Mr Yee was organising?---I've got no idea. No, I, I can't speak on his behalf.

40 Well, what's the usual practice at Chinese Friends of Labor dinner in relation to donations as distinct from table money? When is that money, as a matter of practice, when is that money usually received and by who? ---There were two, there were two scenarios. One will be if someone would, if someone actually responsible for getting those donations, probably he or she would be able to collect those moneys in, in their, in their convenience, but there will be somewhere if they would like to donate on the spot in the night, then they will do that.

But are you saying you have no specific recollection of any arrangements in relation to the 2015 event with Mr Yee?---There's no particular arrangement as such.

We've seen a moment ago a payments register sheet. That's your best record as to who had indicated they were coming to the event and therefore obliged to pay for seats and tables. Is that right?---Yes, yes.

Did you keep any separate record of who was intending to make donations as opposed to buying seats?---No.

10 And so is it your evidence that you were told by Mr Yee that he was going to arrange some donations but he didn't tell you who was making that donation, who was making those donations.---No.

20 Is that right?---Yeah, yeah, right. Because I recall at the time I allocated probably about four to five tables because I know that there will be, I'm short of tables for \$5,000 and he's promised that he will organise a few, either from his family or from his friends, and then the conversation we had was very much like I reserve a few tables for him to fill in, and then towards, towards the event he call me and say, look, there are a few of those where they have, they will not be able to get enough people to sit on the table so that's fine, but they're happy to donate the money and he will collect the money.

Now, you ultimately sold all of the tables for the event. Is that right?---Yes.

But then focussing on these donations from Mr Yee, I just want to be quite clear about this, you knew in advance of the event that Mr Yee was intending to arrange some donations in connection with the event. Is that right?---Yes.

30 Did he tell you who the donors were?---He did not specifically telling me exactly which one of, each single one of them, but he, he, he indicated that he will be getting from his families, his friends or his, his businesspeople or, or he did mention about employee though because I recall - - -

He did or he didn't, sorry?---He did.

40 He did?---He did. But not telling me exactly who they are, what they are, but I remember but there were actually one of, one of the employee, I really can't remember which one was that, that during the time when I had lunch, that was a few days before the event, I'm trying to refresh my memories, that she did say, "Look, Mr Wong, I would like to donate to support you," and I think she handed, she gave me a big bag of, of, she said that was the money. But I said, "Look, you'd better give it to Jonathan because I don't want to handle the money." But that's what I recall very, very soft, like, you know, dimly, but I, yeah.

So I just want to unpack what you just said.---Yes.

Are you saying that a couple of days before the event you saw - - -?---I can't, I can't remember exact date, yeah.

Well, you at least recall it was before the event, correct?---Yes, yes.

And it was within relative short order, by which I mean a few days, perhaps a week. Is that right?---Yes.

10 And an employee of Mr Yee had a discussion with you. Is that right?---Yes.

And do you know the name of who that employee was?---I can't remember the exact name because we usually call her in Chinese Sar Je. I suppose that Sar would be very much from Teresa, whatever it is. Je is means like sister, sister, sister, sister Sar, yeah. That's what I recollect, yeah.

20 Would you mind spelling the Chinese name in English letters if that's within your capability?---I'm not very familiar with all these spellings of Chinese name but to the best of my, to the best of my, of my ability Sar would be very much like S-a-r I suppose, Je will be, Je is very much a pronunciation of sister in Chinese. So J, jar, J-a-r I suppose, yeah.

And I think you said that you thought the English name of this individual might be Teresa. Is that right?---Maybe, yeah.

30 And did I understand you to be saying that she offered to give you a bag that had cash in it?---Yeah. I think what she's trying to do, she's trying to tell me that she have supported me, she would like to donate some money and then she actually, I think there was a bag, she said, "I've got this money here that I would like to support you."

THE COMMISSIONER: Did she work for Jonathan Yee's - - -?---Yes, yes, yes.

What position did she hold there?---I think she was a cashier, yeah.

40 You said I thought a moment ago, a few questions ago, Jonathan Yee said that some of the friends or other people who were going to attend were not going to attend and when you were asked who they were just family and friends, and I thought you said, "And he did mention also employees." Did Jonathan Yee mention employees who were going to attend but didn't? ---Now, first of all - - -

And who were going to donate?---Now, first of all I did not ask him specifically who - - -

No, no, no. Yes. I'm asking what his response to you was. He said something to you, firstly that some of the people he thought were going to attend were not going to attend, that's right?--- Yes.

Is that right?---Yes.

And I thought you said something about those people were friends or family.---Yes.

10 And you also said he did mention something about his employees. Did he say in that exchange that some of the people who were going to attend were his employees but they were not now going to attend but they would make a donation?---Mr Commissioner, I think, because most of those conversations would be very, very much like a casual conversation, it's not like sitting down, very, meeting to discuss on the whole issue. Very much like a conversation or keep on asking, say, "How did you go with your four/five tables that, you know, you are supposed to be responsible?" And then he said that his family will be coming but there will be a few tables that they will not be able to attend but he said he was happy to secure those people to pay a donation or those people promised to, to, to pay and - - -

20 Just pausing there, did he indicate some of those people were employees of his?---Yeah, he did mention that, yeah. He mentioned in the sense where, "Oh, you know, these are the people (not transcribable). They, some of them will be from, you know, from my restaurant," or he say business people, yeah, his business friends.

And some of those, some of those who are not going to attend now were employees as well as family and friends?---Yes, yes.

30 People in those categories nonetheless said they were donating?---Yes, yes. Yeah. That was my understanding of it, yeah.

Thank you.

MR ROBERTSON: Just back to Teresa's bag of cash. As I understood what you were saying, she offered you that bag of cash, is that right?---Yes. Yeah. I think you can say that, yes.

Did she indicate how much money was in that bag?---No.

40 Did you take that bag from her?---Well, that was actually in the, in, in, in the occasion of a lunch where she just leave it on the table and I said, "Look, I would rather put it, you know, for Jonathan to collect it." So that's probably very much like I just put it, I just give it to, to, to Jonathan and I would not be able to have any recollection in regards to accepting, she give me that bag of money or I gave it to Jonathan. I really would not have a memory at all.

Well, I want you to do the best you can on your recollection. As I understand it, a few days, perhaps a week before the Chinese Friends of

Labor event, you have a discussion with this Teresa individual, is that right?---Yes.

Where did that take place?---In Emperor's Garden.

And that's the Emperor's Garden yum cha location, is that right?---Yes, yes.

On Hay Street, corner of Hay Street and Dixon Street?---Yes.

10 And you were having lunch there, I take it, you were having a meal there?
---Yes. With a few friends, yes.

And Teresa puts down the bag of cash on the table, is that right?---Yes.
That's my recollection, that's in my recollection, yes.

And then do you take that bag away from you when you were finished the meal?---No, no.

20 Who did?---Probably Jonathan, I think.

Well - - ?---Yeah, Jonathan was there.

You saw Jonathan take that money, is that right?---I think so, yes. When you (not transcribable) we're talking about something four years ago and you say what happened but I suppose that is what is supposed to be the purchase and I have no recollection of otherwise, so yeah.

30 Well, I don't want you to suppose. I'm asking you to focus on what your recollection is, and as I understand what you're saying, you recall this individual who you think the name may be Teresa having a bag of cash and leaving it on the table that you were having lunch at, at Emperor's Garden restaurant, correct?---Yes.

And you're quite sure that you didn't take the cash with you after you finished your meal?---Yes, yes.

And do you have a recollection in your mind now of Mr Jonathan Yee taking that money with him?---Yes.

40 THE COMMISSIONER: What did this bag look like?---I would not have any clue.

Don't recall?---No. And I, I, I, I - - -

Was it small bag or a big bag?---Four years ago, Mr Commissioner. I would not be able to have a clue but I think that would be very much like a, a, a paper bag or, you know, like, yeah.

And you were given to understand - - -?---Like, that's the bag I remember, yeah.

You were given to understand, from what Teresa said, what was in the bag? ---Yeah.

What did she say was in the bag?---Money. She, I, that, that, that I do recall, that I'm supporting you, I'm supporting Labor Party, so I, I, I would like to donate some money.

10

Teresa's talking now, is she? She said that?---Yes, I think so, yeah. I, I believe that, yeah.

Did she say nothing more than that?---I can't recall any more that she said.

Did she say how much was in the bag?---No.

Did you ask?---No.

20 MR ROBERTSON: After Teresa identifies that there is money in the bag, does anyone else then say anything in response to that, as best you can narrow it down?---I would not be able to recall.

But Jonathan Yee was present at the time that the bag was placed on the table, is that right?---Yes.

Was there any discussion about any paperwork, such as disclosure forms and the like?---Not really.

30 When you say "not really" - - -?---I did, I did, I did ask Jonathan probably you need to - I, I, I really can't remember because that's sort of like quite an embarrassment, where we were in the middle of a lunch with friends where someone's sort of, like, you know, handing money in. But I, probably I did, I did remind him to get forms to be signed by, by, by that person.

But when you say "probably", you don't have a specific recollection of that? You're speculating that you may have said that, is that fair?---Yes.

40 At least at that point in time you knew that the practice of NSW Labor and Country Labor was to not accept money unless there was a disclosure form associated with that money?---Of course. Of course.

Is that right?---Mmm.

THE COMMISSIONER: Who was sitting at the table besides yourself?---I wouldn't be able to have a clue. I wouldn't be able to have a clue?

How many?---I can't remember. Probably two or three. Pretty sure it's not a lot of people.

Well, you obviously remember the occasion because you've given us your account of what happened about the bag of money.---Yes. But - - -

10 But you don't remember who was there witnessing this?---I can't remember. The, because I have lunch in the restaurant a lot of times with the media people, with the community people, you know, like, there will be at least three or four days that I'm having lunch there at all, so it would be very, very difficult for me to particularly remember who are those people on the day, yeah.

MR ROBERTSON: I just want to take a step back to what you've told us about Jonathan Yee telling you that there were donors such as I think friends, family and employees, have I got that right?---Yes. Yes.

20 So you knew, did you, in advance of the dinner that Mr Yee was arranging donations to be made by friends, family, employees and perhaps business associates, is that right?---Yes. Yes.

Did you have any discussions with Mr Yee as to the mechanics as to how that money and when that money would be delivered?---No.

So to be clear about it, as at the event on 12 March, 2015, you didn't know who the individual donors were that Mr Yee was organising, is that right? ---Yes, you are right, yeah.

30 And you didn't know how much money would be involved, correct?---Oh, he didn't, no, no, no, not, no, I have no idea in regards to how much money he has helped to, to raise or how many tables, but at the end of the day I think that would be probably the day before or that day, I can't remember, but that would be very, very sort of like close to the event. He told me that he would be able to get at least about 70 or \$80,000, yeah.

Well, let me unpack that.---Okay.

40 At the moment I'm talking only about donations. I'm not talking about table money. Do you understand that?---Yes.

And I think you're now saying you had a number of conversations with Mr Yee regarding the matter of donations, is that right?---Of course. Yes.

On one occasion, Mr Yee indicated that there would be donations from friends, family members and employees in connection with the event, is that right?---Yes.

And that discussion happened in advance of the dinner that was 12 March, 2015, correct?---Yes.

10 And are you saying that there was another conversation closer to the dinner when Mr Yee indicated how much money he had raised by way of donations, is that what you're saying?---Yes. Sorry, I just have to, to correct that, where it's not about donations but about how much money – it would be tables, it would be donations – that he will be able to bring in. We have not specifically talked about donations, you know, like, that's not the term that we used, but very much like how much money he raised either through tables or through people just, you know, donating money.

But you were responsible for table allocations, weren't you? You told us that on Friday.---Yes.

So you had to know what tables Mr Yee had organised, correct?---Yes, yes. Four tables, yes.

20 Because one of the things you did was organise a seating plan so everyone knew where to sit, correct?---Yes. Yes.

And so are you saying you had a discussion with Mr Yee in advance of the dinner - - -?---Yes.

- - - at which point he indicated how much money he was bringing in in total, both for tables and for donations, is that right?---Yes. Yes.

30 And did he indicate to you who were the donors in relation to those donations?---Well, I says before, that will be from his family, from his friends, or some of his employees. But he did not particularly telling me exactly which one, like, give me a name list of it at all.

So he told you - - -?---I leave him to be responsible for it, yeah.

So is it right to say that he identified the categories of people, friends, employees, family members - - -?---Yes.

- - - but didn't identify the specific individuals, is that right?---No, no.

40 And was your evidence that he told you the total amount that he had brought in for donations and table money, or that, sorry, that he'd organised the, the donations and table money?---He, he organised for the tables and donations, and he just mentioned that he probably would have at least \$80,000, \$70,000 total amount of money to be, to be taken in.

Well, I think you said 60 to \$70,000 a moment ago. Now 70 to \$80,000. Was he - - -?---Did I? Well - - -

MR HALE: I do object to that.---Yep.

I don't think that's correct.

THE COMMISSIONER: All right, that's my recollection.---Yep. Yep.

MR HALE: I thought he said 70.

THE COMMISSIONER: He did say 60 to 80, I thought.

10

MR HALE: No, he said 70 to 80. I've got that written down. He said 70 to 80.---Yeah, around 60 to 80 then, yeah. Yeah.

THE COMMISSIONER: That's my recollection. We'll check it, Mr Hale.

MR HALE: Yes. My – yes.

20

MR ROBERTSON: But to be clear about it, did Mr Yee identify a precise figure of money that he had organised in relation to the Chinese Friends of Labor event?---No. No.

So is it right to say then that as at the night of the event, 12 March, 2015, you knew that Mr Yee had organised some money to come in for tables and for donations, but you didn't know how much, is that right?---Yes.

And you didn't know specifically who the donors were in relation to the donations, is that right?---Yes.

30

You must have at least knew who the tables were to be issued in the name of, so that you could prepare your seating plan, is that right?---Yes.

But you didn't know in terms of donations who the donors were of the money that Mr Yee had organised, is that right?---Yes.

40

Did you have any discussions with Mr Yee about the mechanics of the money, in other words, whether he should bring the money on the night, give it to head office, or deal with it in some other fashion?---I don't think we have a discussion sort of like in detail as such, but I recall that he said that he was going to take the money in on the night, so that he'd be able to pass it on to whoever's collecting the money.

So you have a recollection that Mr Yee said to you that he was intending to bring the donation money to the venue on the night, is that right?---Not donation money, but all the money, about the tables and donations.

So you have a recollection that he indicated to you that he would bring in all of the money in relation to both the tables and the donations - - -?---Yes.

- - - that he organised, is that right?---Yes.

10 Did he give you any indication as to the form of that money, in other words, whether it would be cash, cheques, credit card, or in some other fashion?---I don't think he specifically mentioned about the cash or, or cheques, but I recall that he did say there would be a lot of cashes, a lot of cash where (not transcribable) bring in. And I think we have slightly discussed in regards to is that possible, or not possible, but is that sort of like appropriate, just to, to give all those money to people who collect the thing. Yeah, that's fine, yeah.

So to be clear about that, you have a recollection that Mr Yee indicated that he would be bringing in substantial amounts of cash on the evening of 12 March, 2015, is that right?---Yes, you can say that, yeah.

Well, I'm asking you for your best recollection. I think I - - -?---Yes, to my recollection, yes.

20 That he specifically referred to cash?---Yes.

But you didn't know, is this right, you didn't know whether all of the donors and purchases of table would be cash, or whether it would just be some aspect of it, is that right?---Yes.

But you at least knew that as at 12 March, 2015, Mr Yee intended to bring significant amounts of cash into the Chinese Friends of Labor event on 12 March, 2015, is that right?---To the, to the best of my recollection, yes.

30 And when we say significant amounts of cash, we're talking about tens of thousands of dollars, correct?---Yes.

Now, as a matter of practice at Chinese Friends of Labor events, if one was to bring in tens of thousands of dollars in cash, who would they give it to on the night?---My recollection of it will be either at the reception table where there would be people sort of like writing out, writing out receipts or whatever it is, or the time when they go around the table just try to collect money.

40 Let's try and deal with this tangibly. Can we go, please, to volume 3, page 281? Mr Wong, I'm putting up on the screen what appears to be a seating plan and called ALP Chinese Friends of Labor – Labor spelled incorrectly – Dinner 12 March, 2015. Do you see that there?---Yeah.

And does the document on the screen represent as best you can now recall the setup of The Modern Eight restaurant on the evening of 12 March, 2015?---Yeah.

And just so we can get our bearings, if we go to the top left-hand corner of this document, that's the fish tank. Correct?---Yep, yep.

And then following down on the left-hand side can you just help us, there's some Chinese characters immediately below the fish tank. Can you just assist us in what that's a reference to?---Say it again, the?

The fish tank's in the top left-hand corner. Is that right?---Yes, yes.

10 Immediately beneath that on the left-hand side there's three Chinese characters.---Yes.

What do they stand for?---So the first one will be words cashier of the restaurant, so the counter or the teller for money, and the next one, the one in the middle, will be the reception of the event and the third one will be where the entrance is.

Now, you mentioned a moment ago that money would sometimes be received, I think you said the cashier desk or perhaps the reception desk?
20 ---No, the cashier at the reception. (not transcribable) cashier definitely.

So the place you're referring to - - -?---In the middle.

- - - is in the middle of those items.---Yes.

And I think you mentioned that receipts may be issued at that point in time?
---Maybe, yes.

Is that right?---Yes.
30

Do you have a specific recollection of receipts being issues for the Chinese Friends of Labor dinner in 2015?---No, because I, I'm never sort of responsible for any of those at all.

Whose responsibility was it to receive any money, like the tens of thousands of dollars from Mr Yee, and to issue any receipts if there was any receipts to be issued?---That would definitely be the people who are assigned by the head office to sit there, either to use the machine to collect any of those cheques, cash or credit cards, or some volunteers that I don't have any particular recollection of.
40

But to be clear about that, are you saying that it was Labor head office that would appoint people to receive money on the night. Is that right?---Could be, or some volunteers as well, because there was - - -

Well, you've been involved in organising a number of these events, haven't you?---Yes.

And based on that experience, who is responsible for receiving money or at least appointing people to receive that money? Is that done within the Labor Action Committee or is that done at the head office level?---That would usually be by both organisations. Now, first of all, with the Chinese Friends of Labor usually we will have a lot of volunteers that would go around the table to collect the money, the ticket money, or to collect any money that people handed in, but on the other hand, of course they will have the Young Labors or staff from the head office to collect money at the reception because they will have their ability of a machine or the device for credit cards, that was what Labor Party usually be able to, the Chinese Friends of Labor would not be able to provide that kind of device.

So let's focus on the reception desk first and I'll come to the tables - - -?
---Yeah, that's the reception desk as well, yes.

But I just want to focus on the reception desk at the moment. Who would be responsible for appointing the people to sit at the reception desk and accept any money. Is that done at the Labor Action Committee level or is that done at the head office level?---With those people assigned to sit at the reception to make sure that they receive those debts, that will definitely be organised by Chinese Friends of Labor because they know who they are. For the collection of money or to issue invoices, that will definitely be from the head officer.

But to be clear about that, the particular individuals who are collecting the money on a Chinese Friends of Labor event, are they appointed to that role by Chinese Friends of Labor, by you or Jonathan Yee as principal organisers, or are they appointed by someone from head office?---I think I've said quite a few times usually by both, at both. But if you want to specifically saying to reception, both will be there, but I'm pretty sure that will be the head office people sitting there to make sure that they record all of those people who are paying or to, to use the device for a credit card or to collect cheques. But when it goes around to collect moneys or taking moneys, that will be from both organisations.

So to be clear about that, on an evening of a Chinese Friends of Labor event, there will be both head office staff and Chinese Friends of Labor volunteers and perhaps even Young Labor volunteers collecting money from individuals, is that right?---Yes.

And if someone had a large amount of money to bring in, such as Mr Jonathan Yee's tens of thousands of dollars, who would be responsible for collecting that money? In those groups of people just identified, whose responsibility would that be?---No, we don't have a particular practice of in the case of collecting a lot of those moneys or cash. But with that particular night, I would not have any recollection in who was actually collecting the money, who that money has been handed to by Jonathan.

Well, it sounds like – well, I’m talking about the practices at the moment and then I’ll come back to Mr Yee’s money in particular.---Sure.

But is it fair to say that as a matter of practice or procedure, there was no clear procedures as to whether someone from head office should receive the money - - -?---Yes.

- - - or someone from Chinese Friends of Labor or perhaps even a Young Labor volunteer, is that right?---Yes.

10

But at least as a matter of practice, by the sounds of it, people in each of those three groups may well collect money during the course of an evening, is that right?---Yes.

20

And was the practice to then provide a receipt to the particular individual involved?---There usually will be, there usually will be. It will be I would say usually as a practice that we would have a room where then some of those volunteers or Young Labors, when they would not be able to sit down for a, for a proper dinner throughout the whole night, then there will be a particular, a particular VIP room where they will be able to sit there to have (not transcribable) dinner. But, of course, that probably will be the, the table where they will be using, but then there will be a few tables aside for them, three tables, for those volunteers, and probably they would be doing that on those tables as well. But that’s something that I have no control or instruction at all.

30

Well, let me ask it this way. Mr Jonathan Yee indicates to you that he’s intending to bring in tens of thousands of dollars of cash to that evening, correct?---Yes.

And that’s cash not that he’s donating just himself, it’s money that he’s collated from a series of either donors or people coming to the event as attendees, correct?---Yes.

40

As a matter of practice, who would Mr Yee be expected to give that money to?---There is no particular patterns as such. It’s pretty much like, you know, everyone will be responsible for collecting money, and whatever Jonathan sort of, like, you know, I don’t know, I really have no recollection of how that was being collected, but as a, then, as, as, as a practice which I didn’t think we’ve got a very good process or practice as such, but I would not have recollection where he handed that money to.

But one of the things that you did in connection with the 2015 event was to maintain a payments register, correct?---Yes.

And so you kept track of who had paid and who had not paid, correct? ---Yeah.

So how did you know what money that was in Mr Yee's bag of tens of thousands of dollars was going to a particular table and what money was donation money not going to a particular table?---There are two things. First of all, what I have done, I have assigned at least four tables for him to fill in. I have (not transcribable) about six, six tables before him, VVIP table for him to, to fill in, but at the end of the day he said he would (not transcribable) about four tables but then all the others that would come in as donations, so I just leave it with him so he will be able just to, at the end of the day, to tell me exactly how much there would be. So towards the end of the day, those money probably would come to me for me to look at it to see, to make sure that they have collected all those moneys or forms or whatever it is.

So did you say - - -?---But that would be at the very end of the event, yes.

- - - that the money would then come to you so you could have an idea as to how much money had been received, is that right?---Yes.

So just to understand that, when people bring in either cash, cheques or credit cards on the night, they may be received by people within at least three groups.---Yes.

First, Chinese Friends of Labor volunteers.---Yes.

Second, head office individuals.---Yes.

And, third, Young Labor volunteers, correct?---Yes.

Focusing on cash, that cash presumably ultimately comes to a central location to be counted and organised, is that right?---I suppose so, yes. Because - - -

But are you saying that, ultimately, when that cash has been organised, that is then brought to your attention at the end of the night, is that right?---Yes.

And so at the end of the night you know how much at least cash has been received from the particular event, is that right?---No. Because I don't think they actually counted all of them. There was no way that they be able to count it on the night. So usually what they would do, they would put all those cash probably in one container and then all those forms bundles together on the other, on the other bag because usually as a normal practice, I would look at the spreadsheet that I prepared for payments and also for the table allocations and then I will look at who are those tables where they have not paid up and then I will, I will chase them up or follow them up. So that will be as a practice, but would they count it, do they give a, a figure at the end of the day, I don't think so.

And in terms of identifying who has and hasn't paid, is that something you would do on the night or is that something you would do afterwards?---No. No way that I'm going to do it on the night.

In terms of the money that is ultimately collated from those various sources, whose responsibility is it take that money away from the venue and to take it elsewhere?---Initially it will be the staff from head office or myself.

10 Focussing on 2015, you've told us that Mr Yee indicated that he was bringing in tens of thousands of dollars. There's presumably some other money that was received in cash on the night, correct?---Yes.

20 Who brought that cash away from the venue?---Look, on the night, I remember that on the night, where that was still late in the night and then I tried to, to call Kenrick who, he was not there, he'd gone, was gone and very much a lot of the people have left, where we will not be able to find any staff there on the night. So what I did is actually, when I was trying to get someone to take it out of there, because I myself would never handle a big, sort of like, you know, bag of cash. I never, sort of like, you know, put my hands on those cashes, those cash. And then apparently Mr Huang was there and he said that he was going to see Jamie Clements at the head office, you know, probably the next day or so and then he said that he probably would be able to deliver the money. So that's why I, I give him that bag of money to take it to head office.

THE COMMISSIONER: Sorry, we're talking Mr Jonathan Yee now, are we or someone - - -?---No, we're talking about Mr Huang.

30 Mr Wong?---Mr Xiangmo Huang.

MR ROBERTSON: Mr Huang Xiangmo.---Huang Xiangmo, yeah.

THE COMMISSIONER: Oh, I see.

MR ROBERTSON: So I just want to be clear about that. So there is, you have a recollection of there being substantial amounts of cash, by which I mean tens of thousands of dollars associated with that night of 12 March, 2015, is that right?---Yes, yes.

40 And by the time all of that money had been collated in a separate location, Mr Cheah had gone home, correct?---Yes.

And so on the face of that, you're quite sure that Mr Cheah didn't take the money home on 12 March, 2015?---No, he didn't.

Is that right?---No, he didn't.

But Mr Huang Xiangmo was still present at that point in time, correct?
---Yes.

And is it your evidence that Mr Huang Xiangmo indicated to you that he would take the money and then give it to Mr Clements, is that right?---Yes.

I assume the discussion that you've just referred to was in Mandarin, not in English?---In Mandarin, yes.

10 And doing the best you can – and I appreciate he said it Mandarin, not English – but doing the best you can, can you tell us what Mr Huang Xiangmo said to you as an English translation as to what he was going to do in relation to the money?---I have to, I have to think, because as matter of fact that recollection was actually, like, was actually refreshed during the time when we were doing the examination and I recall that what he said was that he was supposed to see Jamie Clements in head office with certain things that he wants to discuss with him, so he's happy to, he was happy to, to deliver the money at the time when he was going up to the head office. Yeah, I think it's just along that line.

20 And did you say anything in response to Mr Huang Xiangmo in relation to that matter?---Not really. Probably, "Oh yeah, that would be fine." Yeah.

So you indicated to Mr Huang that you were content with him bringing the money back into the office?---Oh, yes.

Is that right?---Oh, yes.

30 Did Mr Huang give any indication as to when – I withdraw that. Is it right to say that Mr Huang Xiangmo indicated that he was already going to see Mr Clements? In other words there was already arrangements to meet with Mr Clements?---To the best of my recollection, he did not give me a date as such as an appoint or so, but he said that he was going to head office to meet up with, with Jamie for sure. Yeah, The general secretary, I think that's what he said, yeah.

THE COMMISSIONER: Are you repeating his words now, that he in effect said, "I'm happy to deliver the money to head office"?---Yes.

40 And did he say he was due to meet up with Jamie?---Yes.

Using those words. He referred to - - -?---Yes. To the best of my recollection.

He referred to him as Jamie?---Probably general secretary, I think.

Sorry?---I can't remember. General secretary.

So he would have said - - -?---But then he chuck in the, in, in Mandarin, I think he saying that, the way they say is secretary general, which is a very different interpretation in Chinese, yeah.

I'm just more concerned with the actual words he uttered.---Yeah.

Did he say words to the effect, "I'm happy to deliver the money to head office," referring to the ALP head office? Did he say that?---Yes.

10 And did he also say that he was due to meet up with Jamie?---No, he did not, I don't think he mentioned about Jamie. I think he mentioned the name general secretary or secretary general. In Chinese it's (not transcribable).

So he said, "I'm due to meet up with the secretary general"?---Yeah.

That's his words?---I think that's the word, yeah. I, I did not have a, a, a clear recollection of the exact wording of it.

20 Did you know at that time that he had met and knew who Jamie Clements was?---I'm pretty sure he knew everybody in the Labor Party.

How did he know Jamie Clements?---That I, I have no clue, but I know one thing, that whenever there is any, any of those donations by Mr Huang to Labor Party, he's always approached by either the officials of Labor Party or the members who would like to appeal to him to donate to the federal elections. So I'm pretty sure they all know him.

30 Where did this conversation take place with Mr Huang Xiangmo? Where were you physically?---In the restaurant. In the restaurant.

Where the fundraiser had been?---Yes, yes.

Was it at the wind-up stage or after the dinner had virtually come to an end or before?---I know that that's before. Look, the whole event - - -

No, just tell me this. It's a very straightforward question. At what point in the evening did this conversation take place with Mr Huang Xiangmo?---At the end of the event. At the end of the event, before we left the venue.

40 And it was just a one-to-one conversation, you and him? Or was there somebody else there as well?---Probably his interpreter, his interpreter will be there. His interpreter.

Anybody else?---I can't recall there are any other people. I'm not sure if Jonathan was there at all. I can't remember.

Did this come as somewhat a surprise to you that here was the alleged billionaire offering to do a delivery run with a bunch of cash?---Well, I don't think he said delivery - - -

No, no. Just answer my question. Did it seem strange to you - - -?---No.

- - - that here this man, who is allegedly a billionaire, who had been a generous donor to the ALP in the past, is that right - - -?---Yes, yeah.

10 - - - was now offering to, in effect, act as delivery man to take a very large amount of cash and take it to the office himself, to the ALP NSW head office?---Not at all.

Didn't strike you as strange?---No, not at all, because my gut feeling at the time was that probably, I don't know, I'm not speaking on behalf of him but I think he's someone that would like face. Because he has not contributed to this event, so he just want probably to, to have a bit of impression that he helped with, he helped with the, with the event.

20 Do you know as a fact as to whether he'd done other delivery runs for the ALP or anyone else before?---For anyone else - - -

To deliver money or deliver packages to people. Had he ever done that, to your knowledge, before?---I have no knowledge at all.

No.---I have no knowledge at all.

MR ROBERTSON: You mentioned an interpreter a moment ago. Do you happen to know who that interpreter was?---I couldn't recall that. I couldn't recall that at all.

30 Do you recall whether it was a male or a female?---I didn't recall at all, but when I look at the photo, because I think that that photo has been shown many, many times, there probably will be a female.

A female interpreter, is that right?---Yes, I can say.

That's your best recollection?---Yes.

40 Can we have the seating plan back on the screen, please? Volume 3, page 281. And doing the best you can, can you identify, please, where this conversation took place?---28. Table 28 in the middle (not transcribable)

So table 28 was the head table, correct?---Yes.

And so I think you said to the Chief Commissioner that this conversation's happening towards the end of the night, is that right?---Yes.

So at that point in time, people are packing up, I take it?---Yes.

Most of the guests have left, correct?---Yes.

And, what, at that point in time the money, the cash that had been collated from the night was then brought to you, was it?---Yes.

And Mr Cheah had left by that point?---Yes.

10 And Mr Huang Xiangmo offered to deliver the cash to the Sussex Street office, is that right?---Yes.

And can you just explain what did the cash look like? Was it in some sort of a bag, container, or anything like that?---Oh (not transcribable) in a bag. But I can't, I would not be able to have any recollection in regards to what bag, how the bag looks like, look like. But I'm pretty sure that's in the, in, in, in a big bag.

20 So it was definitely in a bag of some sort, is that right?---Yes.

And do I take it that it was clear that there was a substantial amount of money in it, by which I mean - - -?---Oh, yes.

- - - a number of tens of thousands of dollars?---Yes.

So there was tens of thousands of dollars in cash in the bag that was given to you that then Mr Huang takes, is that right?---Yes.

30 Was that the only thing that was in the bag, or were there other things in the bag as well?---I didn't even look at, like, really look into it to see how, what are there. But I know that there is a big bag of cash, so I said, look (not transcribable) cash. And I tried to, to find Kenrick. He is not there. There is no other people there. And say, so, I need someone to, to take the bag to the office, then Mr Huang said that "I will be able to take it," because he, he's going to, to the head office to see the general secretary, I suppose. Yep. So (not transcribable) I, I do suppose, yeah.

40 But was the only thing that Mr Huang took that had been first given to you a single bag, or was he given other things as well to deliver to the Sussex Street office?---Probably just a single bag, I think, yeah (not transcribable) recollection.

And do you know whether the bag only had cash in it, or is it possible that the bag had other things in it as well?---Probably just one single bag of cash, because they do actually come in, in another bag with a lot of forms and things, you know?

So this other bag with forms and things, was that taken by Mr Huang or was that taken by someone else?---No, I took it.

So there's a bag of cash that Mr Huang takes in because he says that he's meeting with Mr Clements, correct?---Yeah. Yeah.

10 And there's a separate bag that contains forms, is that right?---I think so, yeah, yep. I don't have a clear recollection with regards to that particular bag of forms, but by looking at the, some of those statements, I believe that would be the case because I usually, that's the normal practice, where I usually take those spreadsheets and forms back home, to make sure that I know who has paid up, who has not paid up, and they'll be able to chase.

So your best recollection is that you took home a bag of forms?---Yes.

You also took home some kind of a spreadsheet indicating what, who attended the night, is that - - -?---Yeah, I think so, but that is according to my best recollection, because quite frankly - - -

20 When you say a spreadsheet, what are you referring to?---The, the payment sheet. The payment sheet.

And you took that with you because you maintained the payments register? ---Yes.

And you wanted to see who had paid and who had not paid, is that right? ---Yes. Yes.

30 And so I take it then that you then needed to have some communications with head office to say, well, Mr Huang has brought in some money - - -? ---Oh, yes.

- - - and I have forms that add up to a particular amount of money, is that right?---Yes. Yes.

And that was a conversation or perhaps more than one conversations that you had with head office people, after 12 March, 2015, event, is that right? ---Yes.

40 THE COMMISSIONER: Mr Wong, could I just ask you this, ordinarily, you would expect a bundle of donations in total received at a fundraising dinner to be made by a mix of payment methods, would you not?---Yes.

By that I mean, a mix of donations either cash, credit card, or cheque, is that right?---Yes. Yes.

That was your common experience over, having been involved in a number of fundraising dinners for the Chinese Friends of Labor, is that right?

--- Yes. Sure. Yep.

10 Would it then be unusual if the bag of cash said to contain the donations from the previous night once delivered, or when delivered to head office of the ALP, contained only cash? That would be unusual, wouldn't it?---Not really. Usually what they will, as the normal practice, they will actually put all those forms in a separate sort of like, bag or, or, or, or containers, and all those cash probably will go into another, another, another container, to make sure (not transcribable)

Now, just stay there.---Yep.

I want you to stay with me on this one.---Sure.

20 I think you said it was your experience that you would expect donations raised from a fundraising dinner by Chinese Friends of Labor would normally be made up of a mix of payment methods.---Yes.

That was your invariable experience in the past?---Yes.

And to your knowledge, the donations that had been collected at the dinner, and that was in the bag that Mr Huang kindly offered to deliver, was meant to represent the takings for the night as it were, is that right?---Yes. Part of the takings, yes.

And that was in the bag?---Yes.

30 All of that, once delivered, if one found only to contain cash and no credit cards, to cheques, that would be unusual, wouldn't it?---No.

No, just stop there.---Oh, sorry.

40 Why would it not be unusual and contrary to your prior experience?---My prior experience will be where then, doesn't matter if they count it for the money or they count it, the other things, they usually would put all those cash into one particular bag or container and all the other forms or cheques into another one. So make it easier then for the head office to, to, to, to count it.

So now at the end of the dinner, the end of the evening, we'd have, what, two bags, one with cash and one with credit cards slips and cheques, is that what you're saying?---I reckon it is, yes.

I see. And how much money was raised on this night by way of credit cards and cheques. Do you know?---No. I would not have any idea.

Well, would you have an idea whether it was small amount to a large amount?---Probably large amount I think. I, I, I would not have any idea.

When you suggest there was a separation out of cash from other payment methods - - -?---Yes.

- - - are you making that up?---No, not at all.

10 Well, how do you know that occurred?---Well, because that's the normal practice. Every time with the event where they will put all those cheques and forms, cheques or, or receipts of, of credit cards all together, bundled up in one, one particular bundle and I'm not, I'm not speaking for any of those situations but for this particular one, if they have got a lot of cash, that's the normal practice for them to put cash into another bag.

And do you say this happened by the end of the dinner on 12 March, 2015?
---Yes.

20 Who did it? Who sorted the cash from the cheques and - - -?---That will be those volunteers or, or Young Labor or, or staff.

And what happened to the bag containing the cheques and credit card slips? Who took control of that bundle?---That would be those people who are counting the money or who will be actually, sort of like, they collected the money and put them all together.

And who was going to deliver that bundle to head office, do you know?
---Usually, as I said before, usually they will be all coming together - - -

30 Just answer my question. What was the arrangement of the delivering the credit cards slips and cheques, if there were any at all, to head office?
---Usually, yeah, usually that will be either Kenrick or the officials from the head office or myself.

Well, Kenrick wasn't there and there's hardly anybody left by the time you were having this conversation that you said with Mr Huang Xiangmo, correct?---Yes.

40 Well, logically, we would be the one to take not only the cash but the cheques and the payslips too, because he was going to do this delivery run, is that right?---No, with that, with that cheques or, or, or, or forms, to the best of my recollection, that's in the bag, it's bundled up but because (not transcribable) I need to make sure that I'm able to look at it to see who are the people (not transcribable) so that I would be able to ring them up to make sure that they will be able to chase them up, that is normal practice where I know who haven't paid then I will chase them, ring them up, say, "Look, can you please pay it up?" And then I will ask head office to contact them.

MR ROBERTSON: I'm getting a bit lost, Mr Wong. Can you just assist me this way. At the moment I am aware of two bags, there's a bag of cash that Mr Huang Xiangmo takes with him and there's a bag of form that you take with you, is that right?---Yes.

10 Now, is that the extent of what is brought away in terms of takings from the event and forms associated with takings from the event or is there something else that's taken away as well?---When you say, can you put the question again? So we are talking about Mr Huang - - -

No. So I'm not talking about the end of the night. At the end of the night, the cash, the credit cards, the cheques and the forms have been collated, correct?---Yes.

The cash has been counted and organised, the cheques and the forms have been organised, is that right?---I suppose so but I, I have got no control of it at all, so - - -

20 And that's not, it's not something that you do, it's something that others do, correct?---Yes.

And at the end of the night, there's a bag of cash that Mr Huang takes with him, correct?---Yes.

And I think you told us there was also a bag of forms you took with you because you're maintaining the payments register, correct?---Yes.

30 Now, does that represent the whole of the vessels to take away cash, cheques, credit card forms and forms, or are there some other series of vessels that are taken away from the event that night?---Not that I'm aware of.

40 So does it follow from that, that in the bag of cash Mr Huang not only has table money, so money for seats and tables, but he also has the raffle money and donations money. Is that right?---I don't think so, no. I know, I know what questions you're try to put to me. Now, as I said before, I don't have any recollection in regards to what's in the other bag at all. I know that there was some cash there where they are actually from the raffle tickets or I don't know, from some of the other takings or whatever it is, so there will be actually, I was not quite aware of it at the time and I recall that because it's all coming into, in a bundle, so I suppose that probably will be something that you refer to.

So are you saying that as well as table money and perhaps donations money in the bag that Mr Huang took, there was also raffle money. Correct?---No. The raffle moneys are in the other bag I reckon, yeah.

I see. So that's in the other bag with the forms. Is that right?---Yes.

I see. So Mr Huang's bag has the table money, table cash money. Correct?
---Probably, yes.

Well, I'm trying to understand what your - - -?---I'm, I'm, I'm not, as I said before, I have no recollection in regards to what's actually in the bag. In the night when those things came to me I know that there is a big bag of cash that Mr Huang offered to, to bring back to the head office, there's another bag with a bundle of forms. That is my best recollection I said before. I would not be able to have recollection even though that I took the bag home, that, that bag home, and how I actually deal with it, but I'm pretty sure that there will be the normal process that I will take the forms and the spreadsheet, all of those to make sure that you see if there are any tables not being paid up.

Now, let's focus on the bag.---So with that there will be raffle, raffle, raffle tickets, there will be money from raffle tickets, but from, from my refreshment of my memory I recall that there will be certain bundle of cash there, probably that will be representing the, the, the, the raffle tickets or some of those table moneys.

Mr Wong, are you just making all this up as you go along?---No, yeah.

It's highly implausible, with respect.---Look, Mr Robertson, if you say I'm making that up, as I said before, I have got no clear recollection what happened, but because when you start to ask me questions, when I start to look at it and some of those exhibits that you show me, I'm just trying to put all my memories together as the best that I can, but as I said before, I do not have a true recollection of exactly what happened with those moneys or forms or whatever it is.

Can I focus on the bag of forms that you took home with you.---Yes.

Are you saying that that bag didn't just have forms in it, it probably also had some cash in it? Is that what you're saying?---I assumed it is, because when I look at all those exhibits or things that you have shown me, then I reckon there would be.

40 THE COMMISSIONER: Mr Wong, you were asked as to what was in the bag. We're not interested in what you presumed was in the bag, we want to know what was in the bag that you took home. What was in that bag?
---Look, I don't have a clear recollection of what are in those bags but I'm pretty sure at the night that there will be the forms and, the forms and spreadsheets and after all these times when we look at all these exhibits I'm pretty sure there will be some cash, because when I look at it, I, I, I recall that there was actually a bundle of cash where there has been labelled as raffle tickets, that I do remember.

I put to you a moment ago we're not interested in what you presume was in the bag. Was there cash in that bag or not?---Yes.

How much?---That I did not count. I did not count at all.

A lot or a small amount?---Sorry?

10 A lot or a small amount of cash?---I really didn't recall, but there will be, I don't know, a bundle of, of, of cashes, a bundle of cash in various forms.

Do you remember that or are you just presuming again?---Presume.

MR HALE: Perhaps I should clarify something. I think with great respect, Commissioner, when, what the, what the witness was saying earlier – which Your Honour, Commissioner, you took as presumption – he was saying that having seen certain exhibits, based upon what he had seen in certain exhibits he recollected or he formed a particular impression of what occurred, and that's what I think he was saying when he said, "I presume." And I think,
20 Commissioner, perhaps you misunderstood that.

THE COMMISSIONER: Well, we'll examine the transcript with some care about that point, Mr Hale, and we can take it up later on.

MR HALE: Yes, thanks.

MR ROBERTSON: But to be clear about this, Mr Wong, you do have a recollection of taking home a bag that at least contained forms, correct?
---Yes.
30

And when you say forms, do you mean disclosure forms or some other kinds of forms?---(not transcribable) there would be some forms to be checked, a record of checks.

Just pause there, just pause there for a moment.---Okay, okay.

I'm just asking about forms at the moment. What kinds of forms are we talking about?---They would be disclosure forms as well, yes.

40 And is that the only kind of forms that you're talking about? Are you talking about other forms as well?---I have no recollection at all, quite frankly. I do not.

So you at least have a recollection of bringing home with you a bag of forms, correct?---Yes. Yes.

And there may well have been cash in there but you're not sure one way or the other, is that right?---Yes.

And do you have a recollection of whether there was any cheques in that bag?---As I said before, I didn't recall.

And I think you have a recollection of there being some sort of spreadsheets in the bag as well, correct?---Yes.

10 Anything else you can recall in that bag?---I can't remember. I, I can't even have a clear recollection of, of what, what, what were in there. Probably some pens or papers, I don't know.

But your best recollection is that there's two bags at the end of the night, one that Mr Huang takes with him and one that you take with you, correct? ---Yes.

20 Doing the best you can, around about what time was the conversation that you've just referred to?---I would not have any recollection at all, but that would definitely be after 10.00 or, you know, some time like that, or 9.30, I don't know. Probably after 10.00 because usually the, the event will conclude at around 9.30.

So doing the best you can, it was around about 10.00pm that night, is that right?---Probably around, around that. I, I would not have any recollection of the time at all.

30 And in terms of the cash that was in Mr Huang's bag, did I understand you to say that's, that's table money only, to your understanding? Or could it also be donation money and maybe raffle money?---Probably donation moneys. Look, there probably will be the money where that has been passed on by Jonathan Yee, I'm pretty sure, and then with others, I don't know, I don't know.

THE COMMISSIONER: The question really is, do you know what cash was in the bag Mr Huang said he would deliver?---No. No.

MR ROBERTSON: Well, let me ask it this way. I think you told us that someone from the event came to you and gave you the two bags, perhaps put them on a table, is that right?---Yes.

40 And at that point in time you were near Mr Huang Xiangmo, correct?---Yes.

When that person gave you the bags or at least placed them near you, did they explain what was in the two bags?---Well, they did say, I, I, I did not recall, quite frankly, I didn't recall who told me or whatever it is. But I, I assume that they would say, oh, there's a, this is the bag of cash, this is the bag of forms, you know. That's, that's (not transcribable) that's a normal practice. But I did not recall exactly what was, yeah.

So to be clear about this, on this particular night you have a recollection of someone giving you the two bags, correct?---Yes.

Do you recall who that person was?---No.

Were they male or female, can you remember?---No.

10 And is it right to say you have no specific recollection of what they said to you, if anything, when they gave you those two bags?---Yeah, I have no recollection.

Is that a convenient time, Chief Commissioner?

THE COMMISSIONER: Yes. We'll take the morning tea adjournment. I'll adjourn.

SHORT ADJOURNMENT

[11.38am]

20

MR ROBERTSON: Chief Commissioner, I made reference to a seat plan before, which is volume 3, page 281. I tender that seating plan.

THE COMMISSIONER: Yes, thank you. The seating plan of volume 3, page 281 will become Exhibit 186.

#EXH-186 – FLOOR PLAN FOR CHINESE FRIENDS OF LABOR DINNER AT THE EIGHT RESTAURANT DATED 12 MARCH 2015

30

MR ROBERTSON: Please have volume 6, page 11 on the screen. Mr Wong, I'm just going to move a little bit back in the chronology to the afternoon of 12 March, 2015. So on the day of the event, but before the event, and I've put up on the screen an email sent from the Claude Wan email address which was the email address that you indicated that Ms Winnie Huang used from time to time to you. And then you'll see from the top of the screen, the Claude Wan email address emails it onto winniehuang1989, do you see that on the screen?---Yes.

40

And so would it be fair to say that the document that's attached, which is described as, "Updated guest list," that's likely to be the best indication we have as to who you're expecting to turn up to the event as guests on the evening of 12 March, 2015, is that fair?---Yeah, that's fair to say but then usually that is still not the detailed ones as such, because most of the time I would have idea who is sitting on where rather than sort of like using that as a particular indication.

But the guest list document as at 4.00pm or thereabouts on 12 March, 2015 is likely to identify at least who you thought would be attending that evening, is that right?---Yes.

Now, some people might have said that they would attend and not attend but it's at least a good indication of your expectations as at briefly before the event, correct?---Yes.

10 And can we turn, please, two pages along, page 13, using the numbers in the bottom right-hand corner, if you just have a look at the very top of the page, you'll see where this have come from. There's a document called Updated Guestlist.xlsx and the particular sheet is called Allocation. So do we take it this is a document, or at least one of the documents, you used to identify who was going to sit where and whether they had paid as at the time that this sheet was prepared. Is that right?---Yes.

20 And if we then move on please to page 26 of the same document, page 26 of volume 6 – just bear with us for a moment, Mr Wong, while that gets brought up. You've then prepared or at least your office has prepared a document setting out who gets to sit on what table. Correct?---Yes.

And you've done that both by reference to table numbers, if you have a look at the sheet it says, "Sheet Listed by Table."---Yeah.

But if we then turn to page 32 you've then done it by reference to either surname or first letter of organisation. Correct?---Yes.

30 Now, it would be fair to say, would it, that if we don't see a particular individual or organisation either on the guest list that's on the screen or on the payments register, Exhibit 184 that you and I have already discussed, then at least from your perspective that's a person who probably didn't agree to buy a seat or a table at the event. Is that fair?---Yes, probably, yeah.

Well, not just you believe, you were one of the principal organisers of the event. Correct?---Sure, yes.

40 And one of the things that you did was keep a track of who said that they were going to attend. Correct?---Yes, yes.

And you also kept track of who did and didn't pay. Correct?---Yes.

And so you would agree, wouldn't you, that the document that you now have on the screen which is a document from 12 March at 4.08pm - - -?
---Yes.

- - - identifies at least who you were expecting to attend the event. Correct?
---Yes.

And it also identified the state of the payments as at 4.00pm that afternoon. We saw that on the first page I showed you. Correct?---Yes.

Is that right?---Yes.

And between that document and the payments register we know who, at least from your perspective, was supposed to pay for a seat or a table at the event. Correct?---Yes.

10

Chief Commissioner, I tender volume 6, pages 11 through to 38.

THE COMMISSIONER: Yes. Volume 6, pages 11 to 38 will become Exhibit 187.

#EXH-187 – EMAIL FROM CLAUDE WAN TO WINNIE HUANG TITLED ‘FW: UPDATED GUESTS LIST’ WITH ATTACHMENT ‘UPDATED GUESTLISTS LIST’ DATED 12 MARCH 2015

20

MR ROBERTSON: Now, we’ve seen by reference to that document and the payments register document that you kept quite extensive records concerning who you expected to attend and the payments. Correct, you would agree with that?---Yes.

Did you keep any records as to anyone you expected to receive donations from as distinct from payments for seats or tables?---Not really, no.

30 When you say not really, does that mean not at all or does that mean you did but in less detail than the documents we’ve just seen?---I did not have any recollection of that, but probably there would be something that, as you suggested, there probably would be something that, you know, is not as detailed as significant as it is.

Well, let me ask it this way. Did you have any records identifying the individuals that you expected to make donations on the evening of the event on 12 March, 2015?---I did not record that.

40 You didn’t record anything of that kind?---I didn’t record it.

Now, as at the event on 12 March, 2015, you knew that it was the practice of NSW Labor and Country Labor to not accept a donation from a donor unless that donor had signed a disclosure form confirming that they were not a prohibited donor and confirming that they were not donating more than the applicable cap. Correct?---Yes.

So you knew at that point in time that eventually there would need to be a form that matched every dollar that was to be deposited in either NSW Labor or Country Labor's bank account arising from the event. Correct?
---Yes.

Now, at that point in time in 2015 you understood that the cap on donations to political parties was \$5,000. Correct?---Yes.

10 If we go up to the part of the chronology where there were two bags at the end of the night, one that Mr Huang takes home and one containing forms that you take home. What did you when do with those forms?---As I said before, I would not have any recollection to, or, or very distinct recollection of those but I'm pretty sure that I looked at spreadsheet to see who did not pay up or if someone that I have in mind that I should follow that up and then I give them a call.

So pausing there, when you say the spreadsheet, are you referring to the payment register document that we've looked at a few times?---Yes.

20 And so to understand that, you then take home a bag of forms from the event and then you seek to make sure that you had a sufficient number of forms and you also keep an eye on who should be chased up for payment, is that right?---Yes.

And so was it the case that there may have been a group of people who attended on the night but by the night of the event had not in fact paid, is that right?---Yes.

30 And so are you accepting that one of the things that you did after the event was made contact with people who attended the evening and asked them to pay for their seats or tables, correct?---Yes.

And not only did you do that, you also chased up disclosure forms where you didn't have a disclosure form, is that right?---I would remind them if they hadn't signed one.

You'd remind them if they hadn't signed one and you would ask one to be provided to you, correct?---Yes.

40 And do I take it that the ultimate main of that exercise was to ensure that you had, that everyone had paid who had indicated that they were attending the event, correct?---Yes, yes.

And to make sure that there was a match between forms and money received, correct?---Yes.

Now, how did you know – I withdraw that. Were you ever told by Mr Huang Xiangmo or someone in head office or elsewhere how much money

was in the bag that Mr Huang Xiangmo said he would deliver to Mr Clements?---No.

Well, how then were you able to reconcile whether you had received all of the payments that you expected to receive?---No, I didn't do that. I think that is the work of the head office. So they would actually go through it, but in regards to, if want information about those money, look, on the night, that was actually a very particular job for Jonathan Yee to make sure that the group of people that he will be able to collect money from or to get them to
10 commit to the tables, that he will be able to make sure that they will all be signed, because that's pretty much like something that I asked him to be responsible for. So I don't need to look into it myself and the same with the other, the other tables as well.

I just want to focus on the table money for a moment.---Sure.

Can we have Exhibit 184 on the screen, please, and I want to understand the process that you undertook after you took home a bag of forms. Exhibit 184 which will come up on the screen at the moment, for your assistance Mr
20 Wong, overseas dated 15 March, 2015 at 6.19pm. If we just move to page PDF 3 please of that exhibit. So you'll see, Mr Wong, that was, 16 March was the email.---Yes.

And on PDF page 3, page 41 using the numbers in the bottom corner, you'll see there a column called Payment. Do you see that there on the left-hand side?---Yep, yep, yep.

And so was it the case that one of the exercises that you were doing after the event was to work out who had paid and who had not paid, is that right?
30 ---Yep. But then that column would be very much like, those are supposed that they're going to pay. I'm just letting head office know that these are, are the amount of money that they either should be paying or they have already paid. So my reconciling of all those is just look at whatever they have said or they have already paid. They've got number there, they've got a number there to give a cheque then I will just record them.

But how did you know whether a particular individual that appears on this document had paid cash on the night, which cash ended up in Mr Huang Xiangmo's bag or the bag Mr Huang Xiangmo said he would deliver to Mr
40 Clements?---Yeah. I recall that they should have a payment slip or a payment spreadsheet where they would tick cash or, or paid or not paid or pay later. There would be, there would be, there would be spreadsheet as such. That is something that I look at. Not particularly this one. This one probably will be just a remake of it.

So is that a document you're saying was in the second bag that you took home?---Yes, should be, yeah.

Well, do you have a recollection of seeing that document in about March of 2015, the tick list that you're talking about?---I will not have any recollection of it, but I'm pretty sure I will be, otherwise I wouldn't be able to compile this.

Well, what I'm trying to understand is, how do you reconcile cash to forms in circumstances where head office has got the cash, and you've got the forms?---Say it again, please.

- 10 Well, what I'm trying to – I'll ask it in stages. You accept, don't you, that one of the exercises that needs to be performed after the Chinese Friends of Labor dinner on 12 March, 2015 - - -?---Yes.

- - - is to ensure that there's a form that matches each dollar that's going to be banked in the NSW Labor or Country Labor bank account, correct?
---Yes. Yes.

- 20 And the reason you need to do that was that, at least as a matter of practice, the practice of those two parties, as at March of 2015 - - -?---Yes.

- - - was not to accept money unless there was an accompanying disclosure form, correct?---Sure. Sure.

And the face of that, there's a reconciliation exercise that has to occur, doesn't it?---Yep.

Namely, to ensure that you have forms that match the money, correct?
---Yep.

- 30 Now, what I'm trying to understand is, how does anyone perform that function when the cash is in one bag, that Mr Huang says he's going to deliver to Mr Clements, and the forms are in another bag that you take home? How did that reconciliation process happen in 2015?---Now, first of all, in regards to this spreadsheet that I made, I usually according to, I - - -

THE COMMISSIONER: Okay, please don't, don't make - - -?---But - - -

MR HALE: I think, with respect, he is trying to answer the question.

- 40 THE COMMISSIONER: Just, no, no, no.---Yeah.

Just put the question again, and answer the question if you would.---Yeah.

Just listen carefully to the question.

MR ROBERTSON: I'll ask it again in stages. You accept, don't you, Mr Wong, that one of the exercises that had to occur after the Chinese Friends of Labor dinner in March, 2015, was an exercise of reconciliation, in other

words, to ensure that the money that had been received had associated with it disclosure forms, correct?---Yes. Yes.

So in other words, if there was, say, \$70,000 in cash in the bag that Mr Huang gave to Mr Clements, if that occurred - - -?---Yep.

- - - he would need \$70,000 in forms, correct?---Yep.

10 And that you knew as a matter of procedure was a reconciliation process that would have to be undertaken before NSW Labor or Country Labor banked the money, correct?---Yes.

Now, that reconciliation process, did you perform it?---No.

So from your understanding, whose job was it to perform that reconciliation process?---It would definitely be head office.

20 And when you say definitely head office, who within head office?---I don't know, would be Kenrick or the account, the, the accounting people. I have no idea how they got to do it.

Now, you'd accept, wouldn't you, that you can't perform that reconciliation process - - -?---Yes.

- - - without the forms, correct?---Yes. Yes.

So, do we take it from that then that at some point you provided the forms to head office?---Yes.

30 So I'm just trying to understand the process. Did you sit down with the forms and then mark people off as being paid by reference to your payment registry sheet, Exhibit 184, is that what you did?---No. No.

40 No.---No. That's what I'm trying to explain. I will use – there, there should be another spreadsheet form, where when people collecting money, they will have that spreadsheet from say, look, this one has already paid, so we tick it, either in cash or in cheque or whatever it is, or they will pay later on. I used that to reconcile. Now with all those other forms where, disclosure forms, I pass it back onto, oh, head office. They are doing it. I never sort of like looked through it and tried to reconcile that at all.

So to understand that, are you saying that you engaged in a reconciliation process in relation to money that'd been received in advance of the event - - -?---No.

- - - but not on the night, is that how we understand that?---On the night, on the night, there should be another spreadsheet where when the people collecting money, there will be volunteers to tick off paid, not paid, cash,

cheque, there is a remark there, or they will pay later on, or they, oh, they forgot to pay or whatever it is. And usually they would have a, a, a column where either they have signed the form or they have not signed the form. And I will use that accordingly to then to update this spreadsheet, then I would pass it on back to the head office, for them to do it. Now, with all those disclosure forms, I would pass it on back to the head office. They will go through it and they do all the due diligence, not me.

10 So let me understand - - -?---Is that, is it clear? Yep.

So let me make sure I understand it.---Yes.

In advance of the event you keep an eye on who's paid and who hasn't paid and you record it in you payment registry. Correct?---Yeah.

In relation to what happens on the night, you get the spreadsheet document, the tick list that says I've paid or I haven't paid, and you use that to reconcile the exercise of who's paid and who hasn't paid. Correct?---Yes.

20 You don't use the forms for that exercise. Correct?---Yep.

But the ultimate reconciliation exercise of cash to forms is not done by you, it's done at head office. Correct?---Yes.

30 Now, if that's the procedure why didn't you give the forms to Mr Huang, Mr Huang Xiangmo, given that, as I understand what you've just said, that is all an exercise for head office, it's not an exercise for you?---Thank you very much for asking that question, because the first, as I explained, that was very likely not where I was, you know, I had a few drinks, I did not actually look into all those bags whatever it is, but I do see a big bag of cash where I don't want to handle any cash as an elected member, so I ask if anyone will be able to take it back to the office, Mr Huang offered, I said, fine, good. So (not transcribable) able to take it back. So then there's another bag where there will be forms, whatever it is. I never, I suppose, which I said before, I would not be able to have a, have a, have a very specific recollection of what happened, but I just took the bag home and trying to look at the spreadsheet form so I'll be able to compile it and then I'll pass it back onto the head office.

40 Now, you've just said you asked people as to someone to take the money. Does that mean you asked more than one person, you asked more than Mr Huang Xiangmo, you asked someone else as well to take the money? ---No, just asked Kenrick Cheah quite frankly, Kenrick Cheah, and then probably I just say any, anyone there, you know, from head office.

But you told us this morning that Mr Cheah had gone home by that point, so you mustn't have asked him.---I, I, Mr Robertson, I was asking if Kenrick Cheah is around, I asked those people if Kenrick Cheah's around, he said,

no, Kenrick's, Kenrick's not there, so I asked other people if there is still any other people left from the head office. No one was there.

I see. So I just want to get this chronology right. So as I understood what you said this morning, you're sitting at the head table and someone arrives and attends on you and gives you two bags, one bag of cash, one bag of forms and potentially other things. Correct?---Yes.

10 Mr Huang Xiangmo is in the vicinity of the head table at that point in time. Correct?---Yes.

Are you now saying before you asked Mr Huang Xiangmo to take the money into Sussex Street and give it to Mr Clements, you asked other people - - -?---Mr General Secretary.

20 To the general secretary, you asked other people to do it. Is that right? ---No. I tried to find Kenrick Cheah. I think I said that, it's not the first time I'm saying it, the time in the morning when you asked the questions I tried to get if Kenrick was there, but Kenrick was not there and I did look around to see to ask if there were anyone from head office, I couldn't see anybody, and then I said I need someone to take it back and Mr Huang offered, say, "I'm going to the head office to see the general secretary, I'm more than happy to help you to take the bag to the office."

THE COMMISSIONER: Did he say when he was due to see the general secretary?---No, no, no, not at all. He just said that he was going up to the head office later on, yeah.

30 MR ROBERTSON: So to be clear, I think you've said this but I just want to be absolutely clear in my mind. After the event you did a reconciliation process but it wasn't with relation to the first, it was with relation to the spreadsheet tick list that we've discussed.---Yes.

Is that right?---Yes.

40 And you then made contact with certain people who hadn't paid and you asked them to pay. Correct?---I thought they would be. When I say, that is the normal practice but I will not be able to remember an event four years ago whom I have actually called.

No, but are you at least accepting that you spoke to at least, you made contact with at least one person and you said, you haven't paid for the event, please pay for the event?---Probably, yeah.

You're accepting that?---That would be a fact, yeah.

Are you accepting that or not?---Yes, I accepting that, yes.

And do you also accept that you liaised with people to say we need a disclosure form for you?---I would definitely let them know, yes.

But how did you know who hadn't provided disclosure forms, given that you've told us that the responsibility of reconciling the disclosure forms was head office and not you?---In general I would just ask them that have you filled in the form, or sometimes I will be able to look at that spreadsheet, because I did say that there's a column there where they will say if they filled in the form or they're not filled in the form.

10

So are you saying that the spreadsheet that you used to reconcile not only identifies whether an amount has been paid, it also identifies whether a form has been received. Is that right?---Yes. But I'm not, as I said before, I'm not so sure if they have been recorded so, like, in precisely.

And whose responsibility on the night was it to tick on that spreadsheet to identify whether people had paid and whether a form had been received? ---That usually would be the volunteers with the Young Labors. The Young Labors usually will take the forms around to make sure that they will sign the form, and then the volunteer probably, because a lot of them did not understand English, so she or he would be able to, to explain to them that that's what they need to do. But there will be times, particularly when it's organisations, that they probably will not fill in the form on the night.

20

So after the night you have a bag of disclosure forms and other things. What do you ultimately do with those forms?---I just pass it back on to the (not transcribable) on to the head office.

30

And when you say you pass it on to head office, who within head office did you pass them to in 2015?---Kenrick. Kenrick.

And do you recall roughly when you did that in relation to the 2015 event? ---No, I do not.

40

Well, presumably you would have done it within short order of the event itself, correct?---Probably. But because that's the year where I have, I was very tied up with a lot of events during that, during, during that time, not only because of the, the, the election coming up, my duties with council, my duties with, with parliament, and then I was also helping the community to do an event of, you know, getting (not transcribable) so I will be very tied up. I, I will not be able to recollection how long it took me before I pass it back on. I don't have a date.

But this event was about two weeks before the election in 2015, correct? ---Yes.

And you've accepted from me that the practice of the party was to not bank money until there was a disclosure form, correct?---Yes.

And so presumably it was a matter of some urgency to ensure that the proceeds of the Chinese Friends of Labor event was banked as soon as possible so that it could be used, if thought appropriate, for the then pending election campaign, correct?---You are right to say that, but at the end of the day, I don't know how the head office is going to look at when they're using the money or all those sort of stuff.

10 But are you saying that notwithstanding the fact that the dinner was very close to the election - - -?---Yes.

- - - you have no recollection as to when the forms were provided to head office, is that right?---Yes.

And when you did provide the forms to head office, do you recall how you did that? In other words, did you physically deliver them yourself? Did you email them? Did you give them to someone? Do you have any recollection about that?---I did not have any recollection of that. Probably I delivered it physically, or if they – look, that's something that I would not be able to
20 answer because I would not have any recollection.

Do you at least - - -?---But I think - - -

Do you at least recall whether it was before or after the election?---I really did not recall. Truly, I, I did not recall at all.

When you spoke to Mr Huang Xiangmo about taking the bag of cash for the evening, did you utter anything or did he utter anything about when the money was to be delivered?---No.
30

So you didn't say to him, "The election's only two weeks away. There's tens of thousands of dollars in cash that I'm giving to you and it needs to be brought to head office as soon as possible." You didn't have a discussion like that?---I didn't recall.

Well, you don't recall having a discussion of that kind, but are you saying your best recollection is you didn't say anything of the sort?---Yes.

40 THE COMMISSIONER: You would have had an expectation, though, that the money would be delivered promptly to head office?---Oh, yes, of course. But - - -

What, the next day, presumably? Next working day, anyway.---Truly speaking, I didn't have any of those ideas at all. (not transcribable) the money has been delivered. Now, firstly, I, I, I think for Mr Huang (not transcribable) very trustworthy to handle money, I suppose. But I don't, I didn't, I don't think I have any of those idea where, how promptly that he

should be delivering the money because I know that it's going to be delivered.

I think you agreed with me your expectation is that it be delivered promptly.---Oh, yeah, sure. Yeah, sure.

MR ROBERTSON: I think you accepted from me a moment ago that on at least some occasions after the event you asked people to fill out disclosure forms, correct?---Yes.

10

Have you ever asked anyone to fill out a disclosure form in circumstances where you knew that that person hasn't actually donated the money the subject of the disclosure form?---Can you put the question again? I'm not too, yeah, aware of what you ask.

Have you ever asked anyone to fill out a disclosure form saying that they had donated a particular sum of money, but in circumstances where you knew that they had not donated that money?---No.

20 You're rejecting my proposition? You have never done that?---Yes, I rejected it, yes.

Are you quite sure about that?---Yes.

You're quite sure about it on your affirmation?---Not to my recollection.

Well, no, no. I want to be clear about it. You'd have to accept that it would be a very significant matter for you to suggest to someone that they should sign a disclosure form in circumstances where they have not in fact donated the money referred to on the disclosure form. Do you accept that?---Yes.

30

And I want to suggest to you that if you'd ever asked anyone to do such a thing, such an extraordinary thing, you would remember it. Do you accept that?---Of course.

40

Do you say on your affirmation that you have never said to someone, "Please sign a disclosure form saying that you have donated a particular sum of money or that you have paid money in relation to a particular event," but in circumstances where you knew at that time that that person had not donated or contributed that money. Is that your evidence?---Not in my recollection. I never remember that, yep.

No, I want to be more than just – what I want to suggest to you is that if you'd ever done that you would remember it. Do you agree with that? ---Yes, yes.

And I want to suggest to you that, again this is not a matter of faulty memory, you know sitting there now whether you have ever done what I put

to you. In other words, whether you have ever asked someone to sign a disclosure form in relation to a particular sum of money but in circumstances where you knew that that person had not donated or contributed that sum of money? Have you ever done that?---No.

You're quite sure about that?---Yes.

10 Can we go please to volume 8, page 8. And Mr Wong, I want to suggest to you that the answer that you have just given to my last question is false. Do you agree with that?---Yep.

Sorry, do you agree that, do you agree that you've just told false evidence and that you have in fact asked someone to sign a disclosure form with respect to a particular sum of money when you knew they hadn't donated the sum of money? Do you accept that proposition or not? I'm not asking about the document on the screen yet, Mr Wong.---Oh, okay.

20 Let me ask the question again because I want to be fair to you because I think you may have answered yes when you didn't intend yes. You answered in response to a question a moment ago, as I understood it, that you have never asked someone to sign a disclosure form in relation to a particular sum of money in circumstances where you knew that that person had not donated or otherwise contributed that money, correct?---Yes.

30 And I want to suggest to you that by giving that answer, you were giving false evidence to this Commission. Do you agree with that or not?---Look, as I said before, I have got no recollection of that. but if you want to say that that is the case, I don't know, I can't explain to it because I have got no recollection of that at all.

Well, what I want to suggest to you is that you know to the answer to the question sitting there right now, it's not a matter of faulty memory, if you had ever done it, it's of such a significant matter that you would remember it. Do you agree with that?---Yes. But I didn't, I did not remember any of those things that I have done.

40 Can we go please to volume 8, page 8. You'll see here, Mr Wong, that this is a communication here happening in 2014. So in fairness to you, I'm not talking about the 2015 event at the moment. I'm talking about the 2014 event and do you see there, if you look at the bottom on the screen, an email from Mr Cheah to you and to Mr Sin, S-i-n, about a raffle of Mr Minns. Do you see that there? Towards the bottom of the page, do you see that there, Mr Wong?---Oh, yeah.

And you'll see, just a little but further up at 6.28pm, Mr Sin asks for some advice as to what to do. Do you see that there?---Yep.

And you're then suggesting to Mr Sin that he should simply sign a form, whether or not it's his cash in relation to the raffle, correct?---Yes.

So having now seen that email, you would have to accept, wouldn't you, that on at least one occasion you've asked someone to sign a disclosure form even when that person had not donated the money the subject of that form. Do you accept that or not?---Yes.

10 I tender the document on the screen, volume 8, page 8. Mr Wong, I'm just going to change topics and I want to ask you some questions about Wu International Pty Ltd.---Wu?

THE COMMISSIONER: That will become Exhibit - - -

MR ROBERTSON: Wu, W-u, International.---Oh, okay. Sure, sure.

THE COMMISSIONER: Exhibit 185. 88, is it? 188.

20 **#EXH-188 – EMAIL CHAIN BETWEEN ERNEST WON, DOMINIC SIN AND KENRICK CHEAH TITLED ‘CHRIS MINNS RAFFLE MONEY’ DATED 24 AND 25 SEPTEMBER 2014**

MR ROBERTSON: Are you aware of a firm called Wu International?
---Yes.

What does that firm do?---Development, I think.

30 It does development in Australia?---I think so, yes but I'm not too familiar with what they are doing.

Well, I want to suggest to you that at least as at 2015, you knew that Wu International Pty Ltd - - -?---Oh, yes.

- - - was a property development company in Australia, correct?---Yes.

40 The ultimate controller of Wu International is a gentleman by the name of Bobby Wu, correct?---Yes.

B-o-b-y?---Yes.

And his son is Mr Alex Wu, also known as Alex Wood, correct?---Yes.

And Mr Alex Wu or Alex Wood is the principal Wu person in Australia, is that right?---That I'm not too aware of, even of the structure of the company.

Well, but to your - - -?---I know he's the son of Bobby, yep.

You know he's the son of Bobby.---Yes.

And you also know that Bobby spends more of his time overseas than in Australia, correct?---Yes.

10 And Mr Alex Wu or Alex Wood is the senior person from Wu International who is in Australia, is that right?---Probably they would be, but it's not my knowledge.

Do you know, did you know Dr Leo Liao?---Yes.

How did you know Dr Liao?---Oh, I've run into him, there's a few occasions where he has, he has involved himself with some associations where I have made him welcomed as well.

20 And so you've been involved in a number of Chinese community organisations in Australia, correct?---Yes.

And you're drawing attention to the fact that Dr Liao was involved in one or more of those organisations?---Yes.

And you knew him in that capacity, is that right?---Yes.

In terms of Mr Alex Wu - - -?---Wood.

30 Or Alex Wood, how well did you know him as at 2015?---I have established an organisation called the Future Leaders, Future, oh, Australian Future Leaders Institute, where I actually engage or recruit a lot of those young people for them to do forums like, you know, public speaking, political systems, and then I'll be able to recruit them at a time where we're doing a lot of elections or volunteers. So that's where then he actually came in, as part of that institute.

And is that the extent of your relationship with Mr Alex Wood?---No, actually, I engage him as, in, in, in, in a, in a, a volunteer capacity, to come into my office one day per week, just to learn a bit more about the system.

40 And whenabouts was he engaged as such a volunteer?---I can't remember. Probably 2016, 2017. I can't remember exactly.

And so that, when you - - -?---For a few weeks, oh, for a few month there.

So when you say your office, you mean your office in Parliament House?
---Yes.

When you were a member of the Legislative Council, correct?---Yes.

And that occurred after the dinner we're talking about in 2015, is that right?---To my best of recollection, yes.

The best you can do, about 2016, maybe 2017, is that right?---Probably, yes.

What about Steve Tong, do you know a Mr Steve Tong?---No. I don't know him at all.

10 You've never met him?---Oh, I met him once. I met him, I met him probably once. After Dr Liao wanted me to, to meet up with him.

So your, as you understand, well, as you can recall, you've only met Mr Tong once, is that right?---Once, yes.

And you know that Mr Tong used to work at Wu International, correct?---Yep.

20 You don't know that sitting there now?---Yeah. Like, when you say now, is the time when we met, he mentioned about working for, for, for Wu or for Dr Leo.

To your knowledge, did Alex Wood, Dr Liao, or Steve Tong attend the Chinese Friends of Labor dinner on 12 March, 2015?---I didn't recall if Dr, oh, Dr Leo definitely not. They did, they did, they did appear (not transcribable) I don't know. Mr Tong, I don't think he did. Alex probably would be there, I do not have any recollection, but probably he would be sitting on the other table, with another organisation.

30 And so is it right to say that if Wu International had purchased a table, we would see it in the payments register document - - -?---Sure.

- - - or the guest list documents we've seen, correct?---Yes.

And so by looking at the those documents, if we don't see Wu International, we know that Wu International did not purchase a table, correct?---No, did not.

40 But are you drawing attention to the possibility that Mr Wood may well have attended but attended on someone else's table, correct?---I think so, yes. I, I, I do not have any recollection that he was there on the night, yeah.

But he didn't pay for his own seat, but he may have attended someone else's table, is that what you're saying?---No, I, I, I can't say that, because I don't know. They probably would be paid by the organisation who have the table. Exactly if each individual person paid for it, or that organisation paid for it, I've got no idea.

Well, at least from the perspective of the records that you've kept, there would be no payment from Mr Alex Wood directly unless we see Alex Wood or Wu International Pty Ltd on either the payments register or the guest list, is that fair?---Yeah.

10 But you're drawing attention to the possibility that someone may have bought a table or in an association name, and that association may have paid the full amount of the table, but they may have been reimbursed in part by people who sat at the table, is that - - -?---I have no idea. I would not be able to answer that question because that's not something that is in my control.

No, but what I'm trying to suggest to you is that if we don't see Wu International Pty Ltd or Alex Wood on either the payments register document or the guest list document that we've had a look at, then that means that those two individuals have not paid for a seat or a table directly, is that right?---Yes. Yes.

20 But that doesn't exclude the possibility that he was in attendance at someone else's table, correct?---If you want to phrase that, but I cannot, I cannot say yes or no because I didn't know that. It's not, it's not my knowledge.

No. You don't know whether Mr Wood attended or not, is that right?---I have no recollection, but I cannot say I did not know why, no.

But you do know that Wu International Pty Ltd and Alex Wood both didn't buy a seat or a table directly, correct?---To my best knowledge.

30 But it's more than just your best knowledge, because if they had purchased a table, that would appear on the payments register or the guest list, correct?---They will be, yes. I think so, yes.

And the same answers apply to Mr Steve Tong as well, correct?---I suppose so, yes.

Well, not just you suppose so. Those answers apply, don't they?---Yes, it will be, yes.

40 Now, Mr Wood, Dr Liao and Mr Tong, none of those individuals made any donations in connection with the Chinese Friends of Labor dinner, did they?---No (not transcribable)

So you're saying Dr Liao made a donation in connection with the dinner? ---Yeah, and, and Steve Tong.

And Steve Tong did as well?---Yes.

You're quite sure about that?---Yeah.

Which political party did they donate to? NSW Labor or Country Labor?
---I wouldn't have a clue.

Well, you're one of the - - -?---It would be (not transcribable) both of them.

Well, you were one of the principal organisers of the event, weren't you?
---(not transcribable) as a matter of fact, when they signed a disclosure form
10 in regards to either Country Labor or Labor, I think that is a question I've
answered before, usually, like, I've got no idea because I've been told that
it's been capped for \$5,000 to an individual entity or individual political
party. I didn't ask the head office if that, you know, if there will be sort of
like \$10,000, anything that's over the cap, either does it go to state, state,
state account or go to federal account. And then they said that, you know,
you can just ask them to fill in either a, a, a, a NSW ALP or Country Labor.

So are you saying you have knowledge of Dr Liao and/or Mr Tong signing a
disclosure form?---I think so, but - - -
20

Did you ask them to sign a disclosure form?---I did pass on that form for
them to fill in, yes, of course I did.

When did you do that?---Oh, that would be a long time before the event
because Dr Liao actually mentioned to me that he would like to, to buy a
table, so where I just give him the form and later on then he said he
wouldn't be able to, to get people to come along. He said he would like to
donate, so I said, yeah, might as well just fill in the form, yeah, for
donations, yeah.
30

So focusing first on Dr Liao.---Yes.

A long time before the event Dr Liao indicated that he was interested in
buying a table for the event, correct?---Yes.

And what type of table was that?---\$5,000 table.

A VVIP table, correct?---Yes.

40 THE COMMISSIONER: Was he a Labor supporter, to your knowledge?
---Look, it's very difficult to say if they are Labor supporters because a lot
of the Chinese people, they don't support the ideology of the party, but they
will, they are in favour of Labor Party for sure.

Do you know whether he had ever made a donation before to the Labor
Party?---I'm not aware of.

That's Dr Liao.---I don't know.

You don't know?---I don't know. I never ask.

But you saw no evidence of the fact that he was a, a Labor Party supporter apart from this donation on the 12 March, is that right?---Sorry?

You never saw any evidence that he was in fact ideologically committed to the Labor Party before 12 March or before he made a donation in March?

10 ---I (not transcribable) need to be really clear about that day. I suppose if someone like to buy, buy a table or to donate, by all means.

MR ROBERTSON: And so are you saying Dr Liao later made contact with you and said that although he wanted to have a table, he couldn't get – sorry, I withdraw that.---He said he wouldn't be able to get people to attend the dinner but he would like to donate as money.

And this is a conversation that happened in advance of the event I assume?
---Yes.

20 And so during that conversation Dr Liao indicated what, that he wanted to make a donation?---Yes.

Did he identify how much that donation was?---No, he didn't at the time, no.

When did you find out how much he wanted to donate?---Well, I assume that will be a \$5,000 table so \$5,000 at least, but then later on he did tell me that he's happy to donate \$10,000.

30 When you say later on, when was that?---I would not have a clue or recollection obviously what date.

But it was still before the event, I take it?---Oh, definitely, yeah, definitely.

So you're quite clear in your mind that firstly Dr Liao wanted to buy a table originally but then changed his mind and then wanted to make a donation, correct?---Yes, yes.

40 And did you make any arrangements with him as to how his donation was to be made and when?---No, but I'm pretty sure I did mention that, you know, because that cap of \$5,000, if he's happy he can donate to, I think there was a time when he mentioned that he would like to donate \$10,000 or more than \$5,000. I said, "Look, you would be able to," if he, if, if he's happy with it, then he will be able to donate to Labor, Labor Party, Labor NSW and Country Labor.

So to be clear about that, are you saying you had a conversation with Dr Liao in advance of the dinner where Dr Liao indicated that he wanted to donate 5,000 to NSW Labor and 5,000 to Country Labor. Is that right?
---I, I mentioned that to him. I told him that that's something that he would be able to donate if he's happy.

And what did he say in response?---Yeah, sure.

10 So you understood in advance of the dinner that Dr Liao was wanting to donate \$10,000. Correct?---Yes.

Five to NSW Labor and five to Country Labor. Correct?---Yeah, you can say that, yeah.

Well, no, it's not what I'm saying, is that what you're saying?---Yes, it is, yes, yes, yes.

20 Did you make any arrangements with Dr Liao as to the payment of that amount, in other words whether he was going to give you a cheque or credit card or something along those lines?---No. Well, because he did mention he was supposed to attend the dinner, so that was the whole process of it, but when the time he met me he said he would like to donate money, I said, "Look, you just do whatever you want to." I don't, I don't, I don't, I don't actually need to go through the process of getting those money from him.

So do we take it from that, that you left it to Dr Liao to make the practical arrangement in terms of his donation.---Yes.

30 Is that right?---Yes.

Did you provide him with a form, a disclosure form in relation to that matter?---Yes.

But that was well in advance of the event I think you told us earlier. Is that right?---Yes.

And then, what, you left it then to Dr Liao to take his own steps after that. Is that right?---Yes.

40 Are you quite sure about that?---Yes.

Can I ask you then about Mr Tong. Did you say to us before that Mr Tong wanted to buy a table as well? Is that what you said? I may have mis-recalled.---No, that was only mentioned by Dr Liao. I didn't even know that Mr Tong was the one who was actually buying the table. I remember at the time, I'm not sure if the Commissioner do remember that I've been asked about his name which I didn't even know who's he.

THE COMMISSIONER: Just pause there. Did the name Steve Tong come up through a discussion with Dr Liao or did - - -?---No, no.

- - - you and Mr Tong – no, just let me finish.---Sorry.

Or did you and Mr Tong dialogue with each other? What happened, how did Mr Tong come into the donation picture?---Mr Tong's name was mentioned probably the night before I met up with, I met up with, with, with Kaila.

10

The night before?---Huh?

The night before what?---The night before I met up with Kaila, Ms Murnain from head office. You know, there was a meeting with, with, with Ms Murnain. I didn't, look, all along the, before the dinner or during the time of the dinner I didn't even know about this Steve Tong.

Okay. Let's start from scratch. When did you ever first meet Mr Tong? ---Probably the night or the day before I, well, on, or on the day I met with, with Ms, Ms Murnain.

20

When did you first meet Mr Tong, if you ever did?---Oh, that was probably a few weeks after that I suppose. That would be after the, the, the, the, the Electoral Commissioners meeting.

Let's see if we can disentangle this. We know the dinner occurred on 12 March, 2015.

MR HALE: Can I assist, Commissioner - - -

30

THE COMMISSIONER: That's all right, Mr - - -

THE WITNESS: Yeah.

THE COMMISSIONER: Is that right, 12 March, 2015?---Yes

Did you know or had ever met Mr Tong before that date?---No.

All right. Had you heard his name before that date?---No.

40

How did you come to first hear or meet Mr Tong?---That's what I'm trying to say, that was the - - -

No, just a moment. I'm just trying to get the chronology right.---Yeah, sure.

It was sometime after the dinner, was it?---Yes.

When?---I can't remember. Which was the date that I met up with Kaila Murnain?

Yes, when was that?---I don't have any recollection of that.

Well, have a go.---Probably 2016, I suppose, when I ran, yeah, 2016.

2016, right, okay. And that's when you first met him, is it?---No, I didn't meet him. I, I only met him probably later on that day.

10

What happened in - - ?---Later, later on in the, in the month.

What was the first thing that happened about Mr Tong in 2016 in terms of somebody mentioning his name or you speaking to him?---No, I did not speak to him. That was Dr Liao who actually, I met him, I, I recall that I met him in either a dinner or, or a lunch where he, he whispered to me that her has someone that would like me to meet up with to give him advice in regards to an interview by the electoral office of some of those donations.

20

What year are we talking about now?---I believe that will be 2016.

MR ROBERTSON: So just to be clear about that, the first time you heard a reference to Mr Steve Tong was in 2016 and not 2015, is that right?---Yep.

Are you quite sure about that?---Yes.

And as at the dinner or as at 2015, you didn't understand Mr Steve Tong to have either purchased a table or a seat or made any donation in relation to the Chinese Friends of Labor dinner in 2015, correct?---Not to my
30 recollection, no. I didn't even remember his name.

30

Your first recollection of Steve Tong was in 2016, correct?---Only now and then, only now and then. If you ask that question, yeah.

And if we don't find Steve Tong's name in the payments register or guest list, then from your perspective he wasn't a purchaser of a table or a seat, correct?---Yes.

40

And you have no recollection of him indicating that he wanted to donate money in connection with the Chinese Friends of Labor event in 2015, correct?---Yeah, correct. Definitely not directly from him, I do not - - -

And then in 2016 his name was brought to your attention, correct?---Yes.

Mr Wong, what I want to suggest to you is that on 30 March, 2016, so after the Chinese Friends of Labor event, you made contact with Alex Wood and you asked him to arrange to disclosure forms, each for \$5,000, saying that people had paid \$5,000 in connection with the Chinese Friends of Labor

event on 12 March, 2015, do you agree with that?---I do not recall that at all.

So are you denying that you ever – I withdraw that. Are you denying that in late March of 2015 you made contact with Alex Wood and you asked him to arrange for two signed disclosure forms in relation to the Chinese Friends of Labor event to be signed, saying that \$5,000 each had been contributed to that event. Are you denying that?---I do not deny that?

10 You do not deny that?---I do not deny that.

So you accept that you did have a conversation with Mr Wood?---I have no recollection that I have conversation with Alex Wood at all.

I see. So you're not denying it because you don't recall it but you're not accepting that either, is that right?---Yeah, yeah, right to say that, yeah.

I've got that right?---Yes.

20 Now, I want to suggest to you that after speaking with Mr Wu, you used your scanner in your Parliament House office to scan a reservation form that already had \$5,000 written on it and that it struck out the options to pay other than cash?---Yes.

Do you accept that you did that?---I did that, yeah.

I want to suggest to you that you then emailed that document to Dr Liao? ---Yes.

30 And you asked him to have two of those forms signed and returned, do you accept that?---That would be, that would be right, yeah.

And I want to suggest to you that Dr Liao then sent you two forms back, one signed by him and one signed by Mr Steve Tong. Do you accept that? ---Again I do not have any recollection.

40 So do you deny that you did that? Do you deny that that happened?---No, I do not, I do not deny, I do not deny that that happened, but Dr Liao approached me in regards to a donation or booking the table, and then he came back to me and said, look, I will not be able to book a table but I will like to donate money. So I write, say, to make it easier, that, I think that's some, a question that I've answered before. I write \$5,000 (not transcribable) you can just do a cash, like a cash donation. So I email that to him.

But you didn't just send a form to Dr Liao. You sent an email to Dr Liao and you said, "I want not one form just from you, I want two forms signed and returned." Correct?---Two forms signed and returned? Probably, yeah.

And you got two forms returned the next day, one signed by Dr Liao and one signed by Mr Tong, correct?---Well, I do not have any recollection of that.

So you don't have any recollection of that but you don't deny it? You don't deny it sitting there now?---I don't have a recollection. So I think, I think, I'm not denying, no, you are right, I don't deny you.

10 I want to suggest to you that at the time that you received that email that I suggest that you received, you knew that Dr Liao had not donated a cent in connection with the Chinese Friends of Labor event, that Mr Tong had not donated a cent in connection with the event, that neither of them had contributed a cent in connection with the event, and they had no intention to do so. Do you accept that?---No, no.

You deny that on your affirmation, correct?---I deny that.

20 I suggest to you that then a couple of weeks later, on 17 April, 2015, you provided a form signed by Dr Liao and a form signed by Mr Tong to Mr Kenrick Cheah. Do you accept that?---Probably, yes.

Well, do you have a recollection of doing it?---No.

But you're accepting that you probably did that, correct?---Yes.

THE COMMISSIONER: Is that right? You accept that?---Well, if I don't have any recollection of it - - -

30 No, no, no, just - - -?--- - - - I, yeah, I accept that, yeah, accept it, yeah.

Thank you.

MR ROBERTSON: But I think you've told us, and correct me if I've got this wrong, but I think you've told us that so far as you knew in 2015, Mr Steve Tong had not bought a seat, had not bought a table and was not a donor in relation to the 2015 event, correct?---No, I just said I did not, I did not know or I did not recall that he's a donor or whatever it is, but I just say that I didn't even come across his name in a sense where I do not have any
40 recollection of this person because I have not met him before.

But you've sent, you've accepted that you probably sent a form to Mr Cheah that has Mr Tong's signature on it, correct?---Yeah, but I may not be recognise that particular name. I may not even put attention to knowing those forms or read those forms at all.

But by sending that form to Mr Cheah, you're suggesting to Mr Cheah that Mr Tong was a contributor to the event, weren't you?---Well, if, if, if Dr

Liao sent it to me, then the best thing I can do or, you know, is just sort of like pass it onto, on, onto Kenrick. It's not my duty to look at are they donating or they're taking people – I know that they are not, they are not taking a table. I didn't even come, I didn't even recall a name called Steve Tong.

Can we go to volume 3A, page 144, please.

THE COMMISSIONER: Page?

10

MR ROBERTSON: Page 144 of volume 3A. Do you see there, Mr Wong, an email that appears to have been sent from you to Dr Liao? Do you see that there?---Yeah.

And if you go a bit further down the page you see that there's an email that seems to be coming from a Xerox machine in your Parliament House office, correct?---Yes.

20

And when you had a Parliament House office, you had a Xerox machine either in it or nearby, correct?---Yes.

And one of the functions of that machine was that it would allow you to scan documents in, which would - - -?---Yes.

- - - get emailed to your email address, correct?---Yes.

30

And if we just turn to the next page you'll see the attachment. Do you see there a copy of the invitation form for Chinese Friends of Labor Presents NSW Labor Chinese Launch?---Yes, yes.

And the \$5,000 is your handwriting. Correct?---Yes.

And the strikeout is your handwriting. Correct?---Yes.

If we go back to the preceding page, do you accept having seen this that you prepared the document we see on the next page and you forwarded it to Dr Liao with the request, "Please fill two of these in?"---Yeah.

40

Do you accept that?---Yep.

I tender the document that appears on the page volume 3A, page 144 to 145.

THE COMMISSIONER: That document's 189.

**#EXH-189 – EMAIL TO LEO LIAO FROM ERNEST WONG
TITLED 'FW: SCAN DATA FROM FX-AF807E' DATED 30 MARCH**

2015 ATTACHING A RESERVATION FORM TO CHINESE FRIENDS OF LABOR NSW LABOR CHINESE LAUNCH

MR ROBERTSON: Can we then please go to page 158 of volume 3A. Do you see there, Mr Wong, a response from Dr Liao, "Please be receive the attachments for your perusal." Do you see that there?---Yes.

10 And if we can turn to the next page, please, we now see a completed form from Quanbao Liao.---Yeah.

You know that to be the Chinese name of Leo Liao. Correct?---Yes.

And if we turn to the next page we see one from Mr Steve Tong. Do you see that there?---Yep.

Now, can you see that it's dated 23 February, 2015?---Yeah.

20 In the bottom right-hand corner.---Yeah.

Now, did you tell Mr Tong, Dr Liao or Mr Wu to put in a February date rather than a March date?---I didn't recall.

You're not denying that you did?---I, I, I you want me to say that I do deny it, I don't deny it, but I really did not recall any of those process.

Well, again, I want to suggest to you that you know the answer to that question sitting there because - - -?---No, I don't.

30 - - - it would be a significant matter to ask someone to backdate a form. Do you agree with that?---No, I did not ask them to backdate the form. I probably suggested that they should actually fill in the form for the dinner. I assume that that would be probably the good time for the dinner (not transcribable) donations.

40 But having seen the document on the screen, and can we go back to page 158, please, having seen the document on the screen, you now accept, don't you, that in response to your email of 30 March, 2015, Dr Liao sent you back two forms, one that appeared to be signed by him, Dr Liao, and one that appeared to be signed by Mr Tong. Correct?---Yes.

Now, I want to suggest to you that at that point in time when you received that, you knew that both Dr Liao and Mr Steve Tong had not attended the dinner, had not bought a table at the dinner, had not bought a seat at the dinner and had not made a donation in connection with the dinner. Do you agree with that?---In connection with the dinner, no, that's definitely in connection with the dinner. I recall that the whole conversation regards to that dinner was actually during the time before the dinner, I had a discussion

with them, they said, look, they're going, they're going to take two tables, they're going to take one table, he's going to take one table, and later on said he will not be able to get people there, so he said, "I will just do a donation (not transcribable) donation."

So is it now your evidence that you understood at the time that you received the document that we had up on the screen, that both Dr Liao and Mr Tong wanted to make a contribution of \$5,000 in connection with the dinner?
---Yes.

10

But how can that be right, you didn't know who Mr Tong was until 2016, you told us.---But he's a friend of Dr Liao. Dr Liao said that he would like to donate money or to get a table.

Mr Wong, you're just making this up as you go along, aren't you?---No, not at all. That's the true conversation I had with Dr Liao.

I tender volume 3A, pages 158 to 160.

20 THE COMMISSIONER: Yes, that will be Exhibit 190.

**#EXH-190 – EMAIL TO LEO LIAO FROM ERNEST WONG
TITLED 'RE: FW: SCAN DATA FROM FX-AF807E' DATED 31
MARCH 2015 ATTACHING TWO RESERVATION FORMS TO
CHINESE FRIENDS OF LABOR NSW LABOR CHINESE LAUNCH
SIGNED BY QUANBAO LIAO AND STEVE TONG**

30 THE COMMISSIONER: Do you know now that neither Dr Liao nor Mr Tong did in fact donate?---Sorry?

Do you know now that Dr Liao did not make a donation?---No. I still think that Dr Liao was the one who make the donation, but Steve Tong that I'm quite aware of, not, not 100 per cent sure, but that's what Dr Liao told me, that at the time that he wants me to meet up with, with, with, with Mr Tong where he was very sick at the time and he said that he was going to be interviewed and then he just want me to give him a bit of advice.

40 Is the positions as known to you now, Mr Tong never made any donation?
---Yes, yes, yes, yes.

MR ROBERTSON: Can we go, please, to volume 2, page 194? This will be the last document before lunch. I think you accepted from me that you provided Mr Tong's form and Dr Liao's form - - -?---Yes.

- - - to Mr Cheah, correct?---To?

To Mr Cheah, at head office, correct?---Yes. Yes.

And I'll just show you that on the screen, volume 2, page 194, so we can identify the document. Do you see here, Mr Wong, an email that you're forwarding on to Mr Cheah on 17 April, 2015?---Yes.

And you're forwarding on Dr Liao's email that we saw a moment ago, the one on 31 March, 2015?---Yes. Yes.

10 Now, why are you forwarding this on, on 17 April, being 17 days after you received it from Dr Liao on 31 March, 2015?---Probably because I forgot, or you know, I wouldn't be able to have any recollection of that.

But you at least accept, don't you, and we'll just turn to the next page, just so, and another page, and see Quanbao Liao's form.---Yep.

And the next page, Mr Tong's form. You at least accept, don't you, that on 17 April, you provided those two forms by email to Mr Cheah, do you accept that?---Yeah, it looks like so, yes.

20

What I want to suggest to you, Mr Wong, is this. You had in fact sold the head table to Mr Huang Xiangmo for the Chinese Friends of Labor dinner in 2015 for \$100,000, do you accept that?---No.

You arranged with Mr Huang Xiangmo to have that money delivered to Labor Party head office, correct?---No. Oh, I mean, on the night, yes.

30 No, but the money that Mr Huang delivered to Labor Party head office was the money that he was paying for the right to, for him and four of his guests to sit on the head table - - -?---No, he - - -

- - - do you accept that?---No.

As at March and April of 2015, you knew that the Labor Party wouldn't accept any cash donations unless they were accompanied by appropriate disclosure forms, correct?---Yes.

40 And at that point in time, you understood that the cap was a \$5,000 cap? ---Yes.

And that one could donate \$5,000 to NSW Labor and another \$5,000 to Country Labor, correct?---Yes.

And I suggest to you that what you did was you entered in, you engaged in a scheme that involved getting people like Dr Liao and Mr Tong to sign disclosure forms, even though you well knew that they didn't contribute a cent in connection with the Chinese Friends of Labor dinner.---No. No. Definitely not.

Are you quite sure about that on your oath?---Yes. Yes.

And you did that because you wanted to ensure that you had sufficient disclosure forms - - -?---No.

- - - so that the \$100,000 would be banked in NSW Labor - - -?---No.

- - - and Country Labor - - -?---No.

10

- - - and that that money would be - - -?---No.

- - - received by the party?---Not at all. Not at all.

Is that a convenient time?

THE COMMISSIONER: Yes. Very well. We'll take the luncheon adjournment. I'll resume at 10 past 2.00.

20

LUNCHEON ADJOURNMENT

[1.08pm]