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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION AERO

Reference: Operation E18/0093

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 10 SEPTEMBER, 2019

AT 2.00PM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

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

MR ROBERTSON: Chief Commissioner, can I deal with an administrative matter first.

THE COMMISSIONER: Yes.

MR ROBERTSON: Yesterday at transcript page 837, line 14, I tendered a Daily Telegraph news article of 20 September, 2016, which is two pages. By error a different document was uploaded to the public website of this Commission. That's since been taken down. But in the circumstances in
10 my submission it would be appropriate for you to make a direction under section 112 of the Independent Commission Against Corruption Act prohibiting the publication of the document described as Exhibit 218 and uploaded to the Commission's public website.

THE COMMISSIONER: So the two pages that was Exhibit, what did that become?

MR ROBERTSON: 218.

20 THE COMMISSIONER: 218, 218.

MR ROBERTSON: So that will shortly be uploaded and described as Exhibit 218A on the public website, but for a period of time yesterday and this morning a different document was uploaded and marked as Exhibit 218 on the public website. So it might conveniently be described as the document described as Exhibit 218 which when uploaded was a rather lengthier document, it wasn't the document that was intended to be, and that will shortly be replaced by the correct document but when it's on the website will be described as 218A, but that might be conveniently identified
30 in the proposed direction by referring to it as the document described as Exhibit 218.

THE COMMISSIONER: And the document so described was inadvertently uploaded to what?

MR ROBERTSON: Inadvertently uploaded to the public website of this Commission in the section marked Exhibits.

40 THE COMMISSIONER: Public website.

MR ROBERTSON: So what should have been uploaded was the two-page article that I identified. A rather lengthier document was uploaded and that shouldn't have happened.

THE COMMISSIONER: Then pursuant to section 112 of the Independent Commission Against Corruption Act the document that was uploaded to the Commission's public website entitled Exhibits and described as Exhibit 218 is not to be published or communicated, copied or disseminated to any

person. It is noted that what was intended to have been tendered were two pages referred to at transcript 837, line 44, which form part of the bundle of documents that were inadvertently uploaded onto the public website of the Commission. Those two pages will be re-tendered and marked separately as an exhibit in due course.

10 **PURSUANT TO SECTION 112 OF THE INDEPENDENT**
COMMISSION AGAINST CORRUPTION ACT THE DOCUMENT
THAT WAS UPLOADED TO THE COMMISSION'S PUBLIC
WEBSITE ENTITLED EXHIBITS AND DESCRIBED AS EXHIBIT
218 IS NOT TO BE PUBLISHED OR COMMUNICATED, COPIED
OR DISSEMINATED TO ANY PERSON. IT IS NOTED THAT
WHAT WAS INTENDED TO HAVE BEEN TENDERED WERE
TWO PAGES REFERRED TO AT TRANSCRIPT 837, LINE 44,
WHICH FORM PART OF THE BUNDLE OF DOCUMENTS THAT
WERE INADVERTENTLY UPLOADED ONTO THE PUBLIC
WEBSITE OF THE COMMISSION. THOSE TWO PAGES WILL BE
20 **RE-TENDERED AND MARKED SEPARATELY AS AN EXHIBIT IN**
DUE COURSE.

THE COMMISSIONER: Is there anything else?

MR ROBERTSON: No. What I propose is that the correct version be uploaded shortly as Exhibit 218A, if that's convenient to the Commission.

30 THE COMMISSIONER: I note that those two pages will be uploaded and tendered and marked as Exhibit 218A.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Thank you. Yes.

MR ROBERTSON: I call To Yip.

THE COMMISSIONER: Mr Yip, do you take an oath to give evidence?

40 MR YIP: Yeah.

THE COMMISSIONER: Yes. Very well. I'll have my associate administer that. Do the interpreter first, yes. Just take a seat there, Mr Yip.

MR YIP: Thank you.

<JOANNA LUM, sworn

[2.13pm]

THE COMMISSIONER: Would you mind just stating your name on the record.

THE INTERPRETER: My name is Garman Lum, G-a-r-m-a-n, last name spelt L-u-m. Cantonese interpreter.

THE COMMISSIONER: Thank you very much. Do you mind standing, thank you, Mr Yip.

<TO YIP, sworn

[2.13pm]

THE COMMISSIONER: Thank you. Just take a seat there, Mr Yip. Mr Clark, are you applying to appear for Mr Yip?

MR CLARK: I'm applying to appear for Mr Yip.

THE COMMISSIONER: I grant leave for you to do so.

10

MR CLARK: Thank you. And I'd also ask that he be afforded - - -

THE COMMISSIONER: Sorry, I just can't hear, if you just - - -

MR CLARK: Sorry. I'd also ask that he be afforded the protection, the usual protection in relation to the evidence that he gives here today.

THE COMMISSIONER: You've explained the provisions of section 138 to Mr Yip?

20

MR CLARK: Yes, I have.

THE COMMISSIONER: Yes, thank you.

MR ROBERTSON: 38, Chief Commissioner. I think you may have inadvertently said 138.

THE COMMISSIONER: I'm sorry?

30

MR ROBERTSON: Section 38. I think you may have inadvertently said 138.

THE COMMISSIONER: Did I? Sorry. Thank you. 38. Mr Yip, the provisions of that section 38 have been explained to you by your lawyers I understand?---Yes.

You understand of course that whether a declaration is made under section 38, you are required to answer all questions and answer them truthfully? ---Yes.

40

And likewise produce any documents that you may be required or any other thing. You understand that?---Yes.

Thank you.---Yes.

Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by Mr Yip and all documents and things that may be produced by him in the course of his evidence at this

public inquiry are to be regarded as having been given or produced on objection. There is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

10 **PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT
ALL ANSWERS GIVEN BY MR YIP AND ALL DOCUMENTS AND
THINGS THAT MAY BE PRODUCED BY HIM IN THE COURSE
OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE
REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON
OBJECTION. THERE IS NO NEED FOR THE WITNESS TO MAKE
OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER
GIVEN OR DOCUMENT OR THING PRODUCED.**

20 THE COMMISSIONER: So, Mr Yip, that declaration having been made, it does have the effect that the evidence can't be used against you in any future proceedings. You understand that?---Yes, I do.

The only exception to that is the evidence could be admitted for an offence under the Independent Commission Against Corruption Act, such as giving false or misleading evidence. But subject to that, it otherwise affords you the protection I've referred to.---Yes, thank you.

Very good. Mr Robertson's going to ask you some questions.

30 MR ROBERTSON: Mr Yip, can you state your full name, please, sir?---My first name is T-o, To. Surname's Yip, Y-i-p.

And are you also known by the name of Stanley?---Yes, normally people call me Stanley.

And do you consider that you speak English well enough to, at least in the first instance, answer my questions in English and respond in English?
---Sure.

40 But you have an interpreter sitting next to you, so if at any point you want any of my questions interpreted, just let the interpreter know and she can do so.---Okay, thank you.

THE COMMISSIONER: If you could just keep your voice up a little bit, it's got to be picked up by the microphone.---Sorry.

Thank you.

MR ROBERTSON: You're the proprietor of the Harbour City souvenir shop in Chinatown, is that right?---Yes.

And you're a director of Harbour City Group Pty Ltd, is that right?---Yes, yes.

And I think you might be one of four directors, is that right?---Yes, correct.

Are you the only one of those four who work in the business on a day-to-day basis?---Yes.

10 And you work on at least a full-time basis in that shop, is that right?---Yes.

In fact, it may be more than full-time. You might be there five or six days a week, is that fair?---You are correct.

That shop is at 73 Dixon Street, Haymarket, is that right?---Yes.

And that's next door to the Emperor's Garden Restaurant, or at least the cake shop that's part of the restaurant area, is that right?---Yes.

20 You know Mr Jonathan Yee?---Yes, I know.

And he is the general manager of the Emperor's Garden Restaurant, is that right?---Yes.

You know his brother Valentine Yee as well?---Yes.

What about their father, Stanley Yee, do you know Mr Stanley Yee?---Yes, good friend.

30 Would you regard Mr Jonathan Yee as a friend?---Yes.

So you know Mr Yee quite well?---Yes (not transcribable) his father (not transcribable)

So you know Stanley Yee quite well?---Yes. Whole family very well, actually.

Would you regard Stanley Yee as a friend as well?---Yes.

40 And the same with Valentine Yee, I suspect as well.---Yes.

And you presumably see each other quite regularly because you work very closely near each other - - -?---Yes.

- - - in Chinatown, is that right?---Yep, yes.

Are you a member of the Australian Labor Party?---No, not at all.

Have you ever been a member?---No.

Would you regard yourself as a supporter of the Australian Labor Party?
---No, I am not a political support, any political supporter.

You don't regard yourself as a political supporter of any particular party, is that right?---Nah, not any.

10 Do you know what the Country Labor Party is?---I have no idea.

Even sitting there now, you don't know what the Country Labor Party is?
---Yeah, I only know Labor Party or Liberal Party.

Can we go, please, to Exhibit 152, page 5. I just want to show you a document. It'll just come up on the screen in front of you. Do you see in front of you a document called Invitation Chinese Friends of Labor Presents NSW Labor Chinese Launch?---Yes.

20 And do I take it that's your signature in the bottom right-hand corner?
---Yes, that's correct.

And do you see there's a date of 30 March, 2015?---Yes.

Is that the date that you signed this document?---Yes.

And your company is the Harbour City Group Pty Ltd company that we can see there?---Yep.

30 And I take it that's your mobile telephone number that you can see on the screen, is that right?---Yes.

Is that your handwriting where it says Harbour City Group and the address and mobile phone number?---Yes. Is my handwriting.

Is it your handwriting the \$5,000 figure that we can see a little bit further up the screen?---No.

Do you recognise who that handwriting is?---I don't, I have no idea.

40 Doing the best you can, do you think the \$5,000 handwriting was on the form before you signed it, or might have it been added afterwards?---Not in my recollection.

You're not sure one way or the other?---Not sure, yeah.

So is it right that's it's possible that that was written on the document when you signed it, but you're just not sure either way, is that fair?---Yeah.

What about the diagonal line that's going through the payment options a little bit further down, would you recall whether you did that strikethrough?
---I didn't.

You didn't do that strikethrough?---I didn't.

And do you recall whether that was on the form before you signed it or might have it been afterwards?---I can't remember.

10 So it could have been either way. Is that right?---Yeah.

Is this the only copy of a form that looks like this that you've ever signed?
---Yes.

You didn't for example sign two forms that look like this?---I think there's only one.

Are you fairly sure about that or you're just not quite sure?---I'm not quite sure.

20

But is it right to say you've got a specific recollection of signing one of these forms?---Yeah.

But you can't be absolutely sure that you didn't sign more than one. Is that what you're saying?---I think there's only one I signed.

Your best recollection that there was one form that you signed?---Yeah, yeah, yeah.

30 And it was the form that we can now see on the screen. Is that right?
---Yeah.

Now, have you, did you make a contribution of \$5,000 in connection with the Chinese Friends of Labor NSW Labor Chinese Launch event in 2015?
---No, I didn't give \$5,000.

Did you make any contribution at all?---\$500.

40 So are you quite sure that the extent of your contribution was \$500 and not \$5,000?---Yeah, 100 per cent.

If you just have a look towards the left-hand side underneath the invitation bit, can you see that there's reference to an event of 12 March, 2015, do you see that there?---(No Audible Reply)

Just underneath the "When" you'll see a picture of - - -?---Oh, yeah.

- - - Mr Shorten and it says 12 March, 2015. Do you see that there?---Yes.

Do you recall whether you attended a Chinese Friends of Labor event on 12 March, 2015?---I did attend but it's very short time.

So did you stay for dinner?---Not stay for dinner.

So you attended for a short period of time and then you went home?---Very short period, yeah, in my memory.

- 10 Do you have any recollection as to where you may have sat? I withdraw that. Start again. When you went to the event did you sit down and have any part of a meal or did you just go to the event?---I didn't sit down, I didn't sit down and I just say hi to Yee's family and I went back, and then I went back to the shop.

So you've got a recollection that on 12 March, 2015 you went to The Eight restaurant down the street a bit and across the road in Market City. Correct? ---Yeah.

- 20 And you went into the event and you then did what, you went and said hello to someone I think you said?---Yeah, just say hello and then went back.

Who did you say hello to?---Yee's family.

To the Yee family?---Yeah, yeah.

So to Jonathan?---Jonathan, his father and I went back to the shop.

- 30 So is that all you can recall doing at the event? You said hello to Jonathan. ---Yeah.

You said hello to Stanley.---Yeah.

Anyone else from the Yee family, can you remember?---I really can't remember.

But at least those two, and you were there for a relatively short period of time. Is that right?---Yeah, I think so.

- 40 Doing the best you can, do you know how long that would have been, was it five or 10 minutes or was it more like an hour?---No, at most 10 minutes.

But you're pretty sure that you didn't sit down at a particular table and have a meal with anyone. Is that right?---No.

And do we take it then that you probably went towards the start of the dinner for a short period of time, at the start of the event?---I can't remember.

Well, maybe let me ask it this way. When you were there, were people already starting to eat on their tables or was it earlier in the event before people started to eat?---Yeah, I think they start, yeah, I think the food had already started, I think.

So you can't be sure but it was probably - - -?---I can't sure.

10 It was probably towards the start of the event before people, when people were saying hello to each other but before people started to eat as part of the meal. Is that - - -?---Yeah, no, I can't be sure.

Can't be sure, but that's probably the most likely time of the event?---Yeah, probably, yeah.

And then you went back to your shop - - -?---Yeah, but normally - - -

20 - - - a reasonably short period of time after that.---Yeah, we are doing the, we are, we are running the souvenir shop, you know, normally in the evening time we are very busy, so - - -

Now, you mentioned that you made a contribution of \$500.---Yes.

And you made that contribution in relation to this particular event. Is that right?---Yes.

Why did you make a contribution? Why did you make that contribution? ---Because Jonathan Yee is my friend and he asked me to - - -

30 THE COMMISSIONER: Sorry, I couldn't hear your answer. Could you start again?---Because I - - -

Just keep your voice up a bit.---Okay. Just is my friend, Jonathan Yee, he asked me to, you know, to make, do like the donation for the, for this, this function or as a neighbour, you know, as a friend, you know, be rude to say no, so I just give him \$500.

40 MR ROBERTSON: And so is it fair to say that you were making that contribution really to support him rather than to support the Australian Labor Party, is that fair?---Yeah, just friends support.

And then how did you make that contribution? Was that by cheque, by a funds transfer?---Cash.

By cash?---Yeah.

And can you remember what denominations the cash were in? Was it \$20 notes, \$50 notes, \$100 notes?---I don't remember.

But, what, you would have taken that, would have you taken that out of your cash register at your shop or can you recall where you got the money from? Did you - - -?---Definitely not from my shop, not from my company, my personal.

So did you withdraw the money especially to make the contribution, do you recall?---I can't remember. Maybe from the, withdraw from the bank. Maybe, not 100 over cent sure.

10

THE COMMISSIONER: Were you asked to make the donation in cash?
---Yes.

They asked for cash rather than - - -?---No, he didn't ask me for cash, I just given him cash.

MR ROBERTSON: Did Jonathan ask you to provide cash in a particular way, for example, only \$50 notes or only \$20 notes, anything like that?
---No, I don't think so.

20

Do you have any recollection of going to the bank or to the bank teller machine to withdraw money to give to Mr Yee, to give to Jonathan?---I can't remember.

I know it's some time ago.---Yeah.

But you're clear in your mind that it was \$500 and you took it out of your own funds, is that right?---Yes, yes.

30

Do you remember when you gave them – so you gave this money, you gave the \$500 to Jonathan, is that right?---Yes.

And do you remember, did you give it at the same time as you signed this form which was 30 March or did you give it to him at some other time?
---Some other time.

Was it before or after you signed the form?---Should be before.

40

And do you remember whether it was before or after the event on 12 March, 2015?---Should be before the event.

Why do you think it should be before?---I think in my memory, if I recall my memory is correct, I think Jonathan told me, yeah, asked me for the donation before the, this, this, this function, this event.

And do you recall whether you gave him the money immediately or did he come one day and say, "I'd like a donation," and you gave it to him a few

days later or perhaps a long time later, I don't know?---Oh, I can't remember.

But you're fairly sure it was before the event rather than after the event, is that right?---Yeah.

10 Can we go please to page 26 of that same bundle and just before we do that, I think you said to me before that you're fairly sure that you only signed one copy of the form that we can see on the screen, is that right?---Yeah. If, yeah, if I am correct, yeah. If my memory correct.

If your memory is correct, you signed one copy of the form, you didn't sign more than one copy, is that right?---Yeah.

20 If we can go please to page 26 of this particular bundle. I'm not going to show you a different document. This looks very similar to what you've seen. I showed you one in colour before, I'm not showing you one in black and white but you would agree that in the bottom right-hand corner we can see your signature again?---Yes.

And you would agree that it's your handwriting for the Harbour City Group and the address and the telephone number, correct?---Yes, correct.

Now, do you recall ever taking a photocopy of the first document we saw on the screen, the colour document, do you recall ever taking a photocopy of that document? You doing that yourself?---I, I didn't.

Did you ever ask Jonathan, for example, to make a photocopy?---No.

30 And to be clear, you didn't make a \$5,000 contribution to the Chinese Friends of Labor event, I take it you also give a \$10,000 contribution to the Chinese Friends of Labor event?---\$10,000?

Yes.---No.

Your contribution was \$500 only?---Yes.

40 The reason I am asking you this is that in the documents that this Commission has obtained from the Australian Labor Party and Country Labor is in fact two forms that appears to have your signature on it. One is the document you can see on the screen, the black-and-white document, page 26, and another one is the colour document that I first showed to you, which was page 5 of the bundle. Can you think of any reason why, in the Australian Labor Party and Country Labor Party records, they would have two copies of a form signed by you rather than just one?---I have no idea.

You certainly didn't say to anyone that you wanted that form copied, is that right?---No, no.

To your knowledge, Jonathan Yee – I withdraw that. Had anyone ever told you that they copied your form?---No.

Do you have a photocopier in your shop area?---No. Photocopier?

Yes.--- Yes, I do.

10 Yes. Do you know whether Jonathan Yee has a photocopier in his office or near, or anywhere in the Emperor's Garden Restaurant?---I have no idea. Well, never been to that office.

But are you quite clear in your mind that you only gave one copy of this form that you signed to Jonathan?---Yes.

You didn't give a colour copy signed and an additional black-and-white copy like we can see on the screen?---Yeah, no.

20 Can we go, please, to page 4 of this same bundle? Just before we do that, after you signed the form that we saw, the colour form that we saw before, do you recall whether you received any receipt from either Jonathan or from the Australian Labor Party?---I receive a receipt, \$5,000 receipt, I think after a few days.

So to be clear about that, you signed the colour copy of the form that we saw on 30 March, 2015, correct?---Yes.

That was the date that we saw in the bottom right-hand corner?---Yep.

30 And you're saying that you received a receipt from the party a few days later, is that right?--- Yes.

So Jonathan didn't give you a receipt immediately, he took the form, and later on you received a receipt from the Labor Party, is that right?---Yes.

And if we just go to page 4 of this bundle, does that appear to be the receipt that you were just referring to, noting that the date of this is 9 April, 2015? ---Yes.

40 And so you have a recollection of having that, of receiving that a few days after Jonathan Yee gave you, sorry, after you gave Jonathan Yee the signed form that we looked at a moment ago?---Yes.

And in fact it was probably around maybe the 9th or 10th of April, wasn't it, given that those are the dates that we can see on the top right-hand corner? ---Yes, I can see.

Now, do you still have that, do you still have a copy of the tax invoice that you can see on the screen?---No, I, I don't have it, this one.

Do you recall – so having received this tax invoice, in about April of 2015, did you keep it, or did you get rid of it fairly quickly?---I just get rid of it.

10 So you threw out, you got this receipt in maybe April of 2015, but you didn't bother to keep it, is that right?---No, I didn't keep it. I didn't use this receipt for my company and, or my personal tax deduction. I just threw it away.

But you were making a personal donation to the Chinese Friends of Labor event rather than through your company, is that right?---Yeah, actually it's under, it's, it's my personal donation.

Yes, so it wasn't Harbour City Group Pty Ltd that was making the donation, it was To Yip that was making the donation, is that right?---Yes.

20 Why then on the reservation form, if we just go back to that on page 5, why then does that say Harbour City Group Pty Ltd rather than, for example, To Yip?---(not transcribable) asking me to fill out the form like this organisations, I just put my company name on it.

So did Jonathan ask you specifically to put in Harbour City Group, or did you decide to put that name there rather than your own personal name?---I think, I, yeah, I write this, the Harbour City Group.

30 But I'm just trying to understand, why did you write your company name down, rather than your own name down?---Because on the form it says organisation, you know. I just put my company name on it.

So you thought that because there was a field there, a space there for organisation - - -?---Yeah.

- - - that was the right thing to write down?---Yeah.

40 But if we then just go back to page 4, to the invoice, and you, which is the one that you received in about April of 2015, but it says \$5,000. So when you got this invoice and it said \$5,000, did you ring up the Labor Party and say, look, there must be a mistake because my contribution was \$500 and not \$5,000?---I didn't ring up the Labor Party, I, I think ask Jonathan.

And when would have that been, would that be about April of 2015 when you got this tax invoice?---Yeah, when got this tax invoice.

And doing the best you can, and I appreciate it's a long time ago, what did Jonathan say to you when you raised with him the fact that you'd received an invoice for \$5,000 rather than your contribution of \$500?---Yeah, he

explain to me that's for the whole table, the contribution, that contribution \$5,000 is for the whole table, all under my company name, the register under my company name, so they gave me this invoice.

But you were never wanting to buy a table, were you? You were just wanting to make a donation of \$500 to support Jonathan Yee, correct?
---Yes.

10 So did you accept that explanation or did you raise it further with Jonathan or maybe the Australian Labor Party as to why it says \$5,000 rather than \$500?---Yeah, that time I didn't think too much, I just, I thought that's \$5,000, I can throw it away.

But you must have thought that there was something at least a little bit wrong because you're receiving a tax invoice for 5,000 when your contribution was only 500.---Yes, so I ask Jonathan, Jonathan explain to me it's the, that's just for the whole table, just under my company name.

20 And did you inquire further with Jonathan or anyone else or was that - - -?
---No, I didn't.

- - - explanation good enough for you at that point in time?---Yeah, okay, I think okay, that's fine, just throw it away, that's it.

But then within a short period of time of that happening, you then disposed of this tax invoice anyway. Is that right?---Yeah.

30 Now, is it right that you only received one tax invoice like the one we saw on the screen or is it possible that you received more than one?---I think only one.

Can I just ask you this then. If we go to page 25 of the same bundle, do you see there a document that looks very similar to the one that I showed you, but if you just have a look in the top left-hand corner - - -?---Ah hmm.

- - - it now says, "Country Labor," whereas the previous one said, "Australian Labor Party NSW."---Mmm.

40 Do you have any recollection of receiving a document from Country Labor rather than from Australian Labor Party NSW Branch?---No, I have no idea about this invoice.

So are you fairly sure that you only got one invoice in April of 2015?
---Yeah, 100 per cent.

And of course if you got two of them you probably would have raised that with Jonathan as well. Is that right?---Yes.

Because then you'd be getting invoices saying not just \$5,000, but \$10,000.
---Yeah, that's 10,000.

And \$10,000 is a lot of money.---Yes.

There's no way, even with the best will in the world to support your friend,
Jonathan - - -?---Yeah.

- - - that you would be making a contribution of \$10,000?---No.

10

Indeed even for that matter there's no way that you would be making a
contribution of \$5,000 - - -?---No.

- - - in connection with the event.---Yeah, no.

You were trying to support Jonathan Yee and you made a very generous
contribution of \$500.---Yes.

20

But you weren't at least in the financial position to make contribution of
\$5,000 to him. Correct?---Yes.

Can we then please go to the, what I'll call the Electoral Commission
bundle. And can we start, please, on page 8 of that bundle. It will just come
up on the screen in a moment, Mr Yip.---Yep.

Now, after all of this happened, the Electoral Commission made some
contact with you. Is that right?---Yes.

30

And the first thing that they did was send you a letter saying that you should
be lodging a disclosure about the contribution that you made for the Chinese
Friends of Labor dinner, is that right?---I can't remember this letter.

So let's just look at that letter first. So there's a letter dated 20 January,
2016 that I've put up on the screen, which is page 8 of the Electoral
Commission bundle, and do you see that that's making a request of Harbour
City Group Pty Ltd to return a disclosure form within 7 days. Do you see
that there?---Yes.

40

Do you have any recollection of receiving a letter like this?---No, I have, I
have no recollection of this.

So you recall receiving some communications from the Electoral
Commission but not this particular letter, is that right?---Yes.

And if we can then go to page 4 of that same bundle, please. What about
this letter dated 25 August, 2016? Does that letter, called Caution: Failure
to Lodge Declaration Within Required Time, does that ring a bell?---Yes.

And you remember receiving this letter?---Yes.

And when you received that letter, what did you do?---When I received this letter, every, I don't know what's going on for this letter for. So I ask Jonathan, I thought this one may be related to the donation so I ask Jonathan, you know, what happened, what happened of this, this letter for.

So you received this letter, would it have been around August of 2016, is that about right?---Yeah.

10

Might not be that exact date, but it was around about that period in 2016? ---Yeah, I think so.

You didn't know why you were being sent such a letter, correct?---Yes.

You thought it might have something to do with the \$500 contribution that you made to assist Jonathan in 2015 for Chinese Friends of Labor, correct? ---Yes.

20

And you asked Jonathan what you should do about it, is that right?---Yes.

And doing the best you can, what did Jonathan tell you you should do about this letter?---I think the, the, with this letter, I also got a, a, like few page form.

THE COMMISSIONER: Sorry, I couldn't hear that. What was that?---We got, with this letter, also got a few page of the form to fill, to fill in. So I give this form to Jonathan and I ask Jonathan to help, I, I don't know what this one, for this one to fill in. So Jonathan assist me to fill out the form.

30

MR ROBERTSON: So you knew from this letter and from your discussions with Jonathan that what the Electoral Commission wanted was for you to fill out a form, is that right?---Yes, yes.

And you gave the blank form to Jonathan and asked him to assist you in filling it out, is that right?---Yes.

And is it right that Jonathan then wrote in what information should be provided to the Electoral Commission, is that right?---Yes.

40

And then you ultimately signed that document, is that right?---Yes.

And then did you send that off to the Electoral Commission or did you give it to Jonathan to do it or what happened then?---I forgot.

So it's possible that you sent it back to the Electoral Commission, is that right?---Yeah. Possibly.

But it's possible that you gave it to Jonathan so that he could do it, is that right?---Yeah, either.

Can we go please to page 11 of the same bundle.

THE COMMISSIONER: Just while that's coming. When you said you went to see Jonathan about the form, did you go to his restaurant or where did you meet him? Did he come to your shop or - - -?---I forgot exactly place. Maybe his restaurant or in my shop.

10

MR ROBERTSON: But you and Jonathan see each other regularly, is that right?---Yeah (not transcribable) neighbours.

You work next door on a day-to-day basis?---Yes.

You're both smokers, I think, is that right?---How do you know? Yes.

And so you, from time to time you probably in the mall area on Dixon Street, having a smoke and having a chat, is that right?---Oh, just say hi sometimes, yeah.

20

But from time to time, you might see each other and have a general discussion, is that fair?---Yeah. Mostly say hi, yeah.

And so it may well be that you had a discussion whilst you were having a cigarette out on Dixon Street or it may be that you actually went into his restaurant and sought him out, and went to speak to him, is that right? ---Yeah.

30 If you just have a look on the screen, is this the form you were talking about a moment ago?---Yes.

And so can you help us with the handwriting? The handwriting, is that your handwriting or someone else's handwriting?---That's my handwriting.

And if you have a look just underneath, about three-tenths of the way down the page where it says, "Harbour City Group." Do you see that there in typed out text?---Yes.

40 Did you put that on the form or did someone else put that on the form? ---I didn't put that form.

So that wasn't you, you didn't get out a typewriter or anything like that and put in that detail?---No.

Do you recall whether it was Jonathan who put that material on the form? ---I don't know.

But to be clear, you had a blank form and you gave it to Jonathan and said, "Can you please help me as to how I should fill this out?" Is that right?
---Yes.

And do you recall whether Jonathan inserted some of the details like Harbour City Group for you?---Sorry, can you say again?

I'm just trying to understand what happened in stages. So you've got the blank form and you give it to Jonathan and say please help me fill out the
10 form. Is that right?---Yes.

And then what happens then, does he take it away and bring it back to you at some later stage?---Yes.

And when he brings it back to you, does it have, doing the best you can, does it have the writing on it, the Harbour City Group, is that text on the form when he gives it back to you?---Yes.

And then how did you know what to write on the remainder of the form that
20 you did in your handwriting, did Jonathan tell you what to write?---I fill out the form.

So Jonathan filled out some of the details that we can see in the typed out text, so Harbour City Group?---Yes.

He did that part of it, and then he left the rest of it for you fill out. Is that right?---Yes.

And so taking this page for example, what you would have got back from
30 Jonathan is a form that was mostly blank but had the words Harbour City Group on it and you then filled out the other details. Is that right?---Yes.

And then you signed it towards the bottom of the page. Is that right?---Yes.

And then the date that we can see, 08/09/2016. Is that your handwriting?
---Yes.

And do we take it then that you signed this document on 8 September,
40 2016?---Yep.

And if we can then just turn the page, this is part of the same document, so I take it the answers you gave me before apply equally to this document. So Harbour City Group that you can see about two-tenths of the way down the page, that was Jonathan put that in the form?---I'm not sure it's Jonathan or not, but not me.

But it was on the form when you got it back from Jonathan. Is that right?
---Yes, yes.

But it wasn't on the form when you got it from the Electoral Commission because the form was otherwise blank. Is that right?---Yes.

So if it wasn't Jonathan it was someone that Jonathan had organised after you had given him the form. Is that right?---Yeah, I think so.

And then I take it you wrote the Pty Ltd in the handwriting?---Yes.

10 And then further down the page where it says, "ALP NSW," that again was Jonathan or someone that Jonathan organised to put in the ALP NSW and the other details that we can see about halfway down the page. Is that right? ---Yes.

And then what about towards the bottom of the page, that \$5,000, is that your handwriting or someone else's handwriting?---Not, not me, not mine.

It's not your handwriting?---Not mine.

20 But that handwriting was on this form when it was given back to you by Jonathan to complete and sign. Is that right?---I can't remember this one appear or not.

But you at least didn't notice the handwritten \$5,000 being on the form at the time that you got it from the Electoral Commission. Is that right? ---Sorry?

When you first got the blank form from the Electoral Commission - - -? ---Yes.

30 - - - there was no handwriting on that form that you recall, was there?---No, no.

And having got this form back with the \$5,000 handwriting and ALP NSW, you completed the form and then you signed it as we saw on the preceding page, on the previous page. Is that right?---Yes.

Now, did you read the form carefully before you signed it?---Actually I didn't read, just signed the form.

40 If we just go back to the first page, I just want you to have a look just above your signature. We might just zoom in a little bit if we can. And I'll just read it out to you. If you need this translated just say the word, but it says, just scroll down just a little bit, "I, To Yip, on behalf of Harbour City Group Pty Ltd, declare that all donations made during the relevant disclosure period have been disclosed and the information contained in this disclosure and any attachments is true and correct. I understand that giving

information which I know is false or do not reasonably believe to be true is an offence.” Do you see that there?---Yes.

And so by signing this, you were declaring to the Electoral Commission that what you were telling the Electoral Commission was true, correct?---Yes. I didn't read this one.

So you signed it without reading it, is that what you're saying?---Yeah.

10 Now at least sitting there now, you have to accept that what is said in this disclosure form was untrue, because you didn't make a contribution of \$5,000 to the Australian Labor Party.---Yep.

You only made a contribution of \$500, correct?---Yes.

But are you saying that you trusted Jonathan to fill out the form correctly for you, and you then didn't read it carefully, you simply signed the document, completed and signed the document that Jonathan gave you, is that right? ---Yes.

20

Are you fairly sure that when you got the form back from Jonathan, it was the – sorry, I withdraw that. Before I ask that question, I'll just draw your attention, if we turn to the next page, which is a page I've shown you, and I'll turn one further page, which is just a page that's got a diagonal line through it. Again, do you remember whether that was you that drew that diagonal line, or - - -?---No. Not my.

So that wasn't you that drew the diagonal line?---Yeah, wasn't me.

30 And was that on the form, as best you now know, when it came back to you from Jonathan?---Yeah.

Is that right? So it probably wasn't on the form at the time that you got from the Electoral Commission, is that right?---Yes.

But it was probably on the form when you got it back from Jonathan, is that right?---Yeah, probably.

40 But one way or the other, you didn't do the strikeout that we can now see on the screen?---I didn't.

But you did put in the proprietary limited that we can see towards the top of the page?---Yes. Yes, that's my handwriting.

But you didn't put in the Harbour City Group, that was something that came either from Jonathan or from someone that Jonathan organised, is that right? ---Yes.

Now I've shown you the form as being three pages. So the page that's now on the screen, the page before that said ALP NSW 5,000, and the page before that you signed. When you signed the form, are you sure that it had three pages with it together, or is it possible that it was only two pages or perhaps only one page?---I can't remember how many pages.

Is it possible that when Jonathan gave the form back to you, he only gave you, rather than three pages, two pages or one page?---I really can't remember.

10

And I think you said to us before that you can't remember who sent it in to the Electoral Commission, whether that was you or Jonathan, is that right? ---Yes.

It couldn't have been anyone else who sent it in. It would, it could only be you, or it's possible that after you signed it, you gave it back to Jonathan to send onto the Electoral Commission. Is that right?---Yeah.

20 You don't have any recollection, for example, of going in to the Electoral Commission and giving them the form?---No.

If we just go back to page 11, just to see if this helps at all. So this, Mr Yip, is the version of the form that the Electoral Commission has. If you just have a look in the bottom left-hand corner, can you see there's a stamp on it that says "received", and then above the word "received", it says, 8 September, 2016, do you see that there?---Yes.

30 So it seems that the Electoral Commission marked it as being received on the same date that you signed it. Does that help you at all in working out whether it was you who might have sent it in, or whether Jonathan might have sent it in, or does that just not help you one way or the other?---Well, honestly, I really can't remember.

And you said before that you signed the document without reading it particularly closely, is that fair?---Yes.

40 And so, are you saying that at the time that you signed it, you didn't realise that there was a problem with the form, namely that the form was identifying a contribution of \$5,000, whereas you had only made a contribution of \$500, is that right?---Yes.

THE COMMISSIONER: In other words, did you understand that by signing the document that you were stating that you had made a \$5,000 donation?---Ah hmm.

Did you understand that that's what you were saying when you signed the form?---When I signed this form, I really don't understand what's this one for.

You didn't understand what?---I, I don't, I didn't understand what's this one for.

Didn't understand - - -?---*I didn't understand what this one was for.*

I see.---Yeah.

10 MR ROBERTSON: But sitting there now you realise that what you were declaring to the Electoral Commission on 8 September, 2016 was false, correct?---Yeah. Sorry?

You now realise that what you were declaring to the Electoral Commission by signing the form on 8 September, 2016 was wrong, is that right?---Yeah, now I know.

But you say you didn't know that at the time that you signed the form?
---Yes.

20 THE COMMISSIONER: At the time you signed the form, was Jonathan Yee with you when you signed it?---I think he gave me this ones and I signed the form and give it back to him.

You gave it straight back to him?---Yeah.

I see. So it's only a short time - - -?---Yes, I think so.

- - - between signing it and handing it to him?---Yeah.

30 Did he say anything to you about this form or what it meant?---No. No, he just mention this form is for the, for the, for the donation.

But did he say anything else?---No, I can't remember, no.

Did he say anything about a \$5,000 donation?---I ask, I, when I received the invoice, I asked Jonathan, "So why this \$5,000 invoice?" So he, he explain to me, that's for the, this is for the whole table, which is under my company name, just all put under my company name. I was like, "Okay, that's fine." Just, yeah.

40

MR ROBERTSON: But did you have any discussion about that issue when you were filling out this form that you can see on the screen?---Yeah, not much discussion. Just ask him helping me to fill out this form and then - - -

Do you have any recollection of where you were when you signed the form? Do you remember whether you were in your shop or perhaps somewhere else?---I standing in my shop.

And is your recollection that you signed it on your own? You didn't have Jonathan standing next to you but you gave it to Jonathan soon after you'd signed it?---I can't remember. I can't remember Jonathan with me or not, but I think I hand, when I fill out this form, I signed it and give it back to Jonathan.

So it's possible that Jonathan was with you at the time, but you just don't, you just don't remember anymore?---I don't remember, yeah.

10 Your best recollection is you probably did it in your shop?---Yes.

THE COMMISSIONER: Have you later had any conversation with Jonathan Yee about - - -?---No, I didn't pay too much attention on this matter at that time, yeah, so I did ask him - - -

I'm talking about a different time. Did he some later time or recently ever have a discussion with you about these forms?---After the interview with the Electoral Commission, they told me I can't talk to Jonathan, talk to anybody, so I didn't talk to him about this matter anymore.

20

Did Jonathan know that you had gone to have an interview with the Electoral Commission?---No, didn't tell him.

He didn't know that you were going to go there?---I'm not sure he know or not.

Did he ever say anything to you about the Electoral Commission?---No.

30 MR ROBERTSON: After you sent this form in, did the Electoral Commission make contact with you and say they wanted you to produce some documents?---Sorry?

After you sent this form in or after you sign this form in September 2016, did the Electoral Commission make further contact with you? Did they contact you again?---Yes, I think so.

And did they ask you to produce some documents?---Yes.

40 Can we have up on the screen, please, page 19 of the bundle. Mr Yip, do you now see a letter from the Electoral Commission of 22 February, 2017? ---Yes.

And do you remember receiving this letter?---Yes.

And if you just have a look at the second paragraph, if you just read that to yourself, and if you need a translator just let the translator know, and let me know when you've read that to yourself.---Yes. Yes.

So when you received this letter, you read it, correct?---Yes.

And you knew that the Electoral Commission was investigating whether there had been a breach of the law concerning the donations and Chinese Friends of Labor dinner, correct?---Yes.

And you knew from reading this letter that the Electoral Commission wanted some documents from you, is that right?---Yes.

- 10 Now, having received this document, what did you then do? Did you take it upon yourself to prepare a response or did you get some assistance from Jonathan or someone else?---Yeah. In my recollections when I received this one, this letter from the Electoral Commission, actually I don't know what happened. So I ask Jonathan, I show the letter to Jonathan, "So, what happened, yeah, what's, what's happened for this matter?"

And so you get this letter and you speak to Jonathan and you ask him what you should do, is that right?---Yeah.

- 20 And what did Jonathan say?---Jonathan asking just to send to the Electoral Commission, I actually, I donate \$500 but the invoice invoiced to me is \$5,000 for the whole table under my company name so I, I got a letter, I hand it to the Electoral Commission.

So to be clear, are you saying that Jonathan told you that you should tell the Electoral Commission that you'd only contributed \$500 rather than \$5,000, is that what you're saying?---Yeah. He, he help me to type the letter to send to – I, and I send to the Electoral Commission.

- 30 We'll come to the letter in a moment. Before we come to that, can we just go to page 24. So this is a page that's part of the materials that you were sent on 22 February and can you see that you were asked to produce said documents, personal bank statements and copied of receipts, do you see that there?---Yes.

Now, at that point in time you didn't have your receipt anymore, the tax invoice document that we saw that you got in April of 2015, is that right? ---Yeah, yeah. I don't have the receipt.

- 40 So the tax invoice document that you received in April 2015, I think you told us you threw away?---Yeah.

Fairly quickly, is that right?---Yes.

But you knew from this document, see numbered paragraph 2, that the Electoral Commission wanted a copy of the receipt for \$5,000, is that right?---Yes.

And so what did you do about that? Did you ask the Australian Labor Party or anyone else for a copy of your receipt?---I didn't ask the Australian Labor Party. I ask Jonathan to put my copy for this invoice.

And did Jonathan do that?---Yes.

And then if you have a look at numbered paragraph 1 on the screen, you see they're asking for your personal bank statements?---Yes.

10 And did you collate those bank statements and send them to the Electoral Commission?---Yes.

Do you remember whether you did that yourself or did you give that to Jonathan or someone else to send to the Electoral Commission?---I sent it myself.

And then you mentioned a little while ago that you also sent a letter to the Electoral Commission, is that right?---Yes.

20 And if we can just go to page 31 of the bundle, please. The document that's on the screen, is that the letter that you were referring to a moment ago? ---Yes.

Who typed out the text of that letter? Was that you or was that someone else?---I think Jonathan typed for me.

30 So did you tell Jonathan what should be typed or did Jonathan decide what should be typed on that letter?---Because I don't know how to explain that, you know, yeah, then ask Jonathan, Jonathan typed it for me.

Now, you said a moment ago that Jonathan told you to tell the commission, this is the Electoral Commission, that you had only made a contribution of \$500, is that right?---Not, not, not Jonathan told me. I, I mentioned before, it's this letter.

40 Well, if you just have a look at this letter, do you see that it says, so it's starting at the end of the first line, "I just want to brief you that the donation was a purchase of a \$5,000 table at the 2015 Chinese Friends of Labor dinner." Do you see that there?---Yep.

You didn't in fact buy a \$5,000 table at the 2015 Chinese Friends of Labor dinner, did you?---No, I didn't.

No. You made a contribution of \$500.---Yes.

And so at least sitting there now, you would have to agree, wouldn't you, that what's said in this letter is wrong, correct?---Ah, can you explain, the interpreter?

Yes, of course.---*I thought this letter explained that I have only made a contribution of \$500, and the 5,000 was made under the name of my company.*

THE COMMISSIONER: You see where the letter goes on to say, "I have also filled in a form saying I have made a donation of 5,000 because the table was reserved in my company name. I wasn't aware every paying guest needed to fill in a form to truly represent who was paying guest."
10 Now, did you reserve a table - - -?---I didn't reserve any table.

- - - in your company name?---No, I didn't.

No, you did not. So when the letter says that you did reserve a table in your company name, is that correct or wrong?---It's wrong.

It's wrong?---Yeah.

MR ROBERTSON: At the time that you signed this letter, did you realise
20 that the letter was wrong?---*After Jonathan has written this letter, I read it and my understanding was it explained that I have paid only \$500. \$5,000 was only put under my company name.*

But you at least accept, don't you, sitting there now, that it was wrong to tell the Electoral Commission that you had purchased a \$5,000 table, because you had not purchased a \$5,000 table, you had just made a contribution of \$500, is that right?---Yes.

30 But you trusted Jonathan to write correct information in this letter, and that's why you signed it, is that fair?---Yeah, maybe I got a misunderstanding of this letter.

So to be clear, you thought the letter was telling the Electoral Commission that you only made a contribution of \$500, is that right?---Yes. Yes.

40 And did Jonathan say to you that that was what the letter was intending to communicate to the Electoral Commission?---No, he did tell me, actually, just give me this letter (not transcribable) okay, that's, that's the explanation, I pay \$500, not \$5,000, so I (not transcribable) the Electoral Commission.

And you trusted Jonathan to prepare a letter that explained the true story to the Electoral Commission, is that right?---Yeah.

Can we just flick back one page, please. Now, you said that you asked Jonathan to get another copy of your receipt, is that right?---Yes.

And is this what Jonathan produced to you in response to that request?
Another document here, again dated 9 April, 2015.---Yes.

Is it that document, do you think?---Yes, I think so.

And did he give you that document for you to then send on to the Electoral
Commission? Or was he organising the exercise of preparing the
documents to go to the Electoral Commission?---He give to me and I give to
the Electoral Commission.

10

So you gave to the Electoral Commission the letter that we've seen a
moment ago that you signed, correct?---Yes. Yes, yes.

You gave them a copy of the receipt that you can now see on the screen?
---Yes.

But Jonathan gave you that receipt so that you could give it to the Electoral
Commission, is that right?---Yes.

20 And you also gave the Electoral Commission some bank statements as well,
is that right?---Yes.

But can I just ask you about one other document, if we go, please, to page
34, page 34 of the same bundle. Do you see now here's another tax invoice
document, it's also dated 9 April, 2015, towards the top right-hand corner?
It's very small text, but we can zoom in if you can't see it. And again, for
\$5,000. Do you see that on the screen?---Yes.

30 Now, do you have any recollection of when you got this document?---I have
no idea for this ones.

Do you remember ever getting this document?---No, I don't remember this
ones.

So your best recollection is that you had a document like we saw before - - -
?---Yes.

40 - - - the page 30, we'll just jump back to page 30 to confirm that. So if we
can go to page 30, just a few pages back. That one there. So you remember
Jonathan giving you this as a replacement receipt, is that right?---Yes.

But the other one that didn't have the logo on the top left-hand corner, you
can't remember receiving that one, is that right?---I can't remember this
one. Yeah.

And if you just have a look towards the bottom, there's a little thing that
says, "By accepting this invoice, I declare that," can you see that little
section there?---Yes.

Towards the bottom of the page?---(No Audible Reply)

And a couple of paragraphs down, do you see it's talking about the 2016-2017 year? It says, "I have not breached the donation cap, being \$5,900 for a party and 2,600 for candidates, for year 2016-2017." Do you see that there?---Yes.

10 But you didn't make any contribution at all to the Australian Labor Party in 2016 or 2017, did you?---No.

The only contribution that you've ever made for the Australian Labor Party is the \$500 that you made for the Chinese Friends of Labor event in 2015, is that right?---Yes.

And so you bundled those documents that we've talked about together, and you sent them off to the Electoral Commission under cover of the letter that you signed that we saw, is that right?---Yes.

20 And that's the letter – if we go back to page 31, just to be clear about it. That's the letter of 4 March, 2017, that you signed, sent in to the Electoral Commission, along with the documents that you and I have discussed, is that right?---Yes.

Now, a little while later, the Electoral Commission made contact with you and asked you to participate in an interview, is that right?---Yes.

And you agreed to participate in an interview, is that right?---Yes.

30 Now if we just turn, please, to page 36 of the bundle, do you see there a record of interview between Mr Baragry, Mr Spencer, and you, of 7 March, 2017?---Yes.

Do you recall whether you were sent a copy of this transcript? Have you seen the document that we've got on the screen before?---I think I got the CD, CD from the Electoral Commission.

40 So you may have got the CD or DVD of the video of your attendance, but not necessarily the transcript that writes out all the words, is that right?
---Yeah. Yeah.

If we just turn the page – in fact, before we do that, just back on the previous page, it's consistent with your recollection though, isn't it, that you participated in an interview around or about 7 March, 2017, which is the date that you can see on the screen, is that right?---Yeah.

When you participated in that interview, you told the Electoral Commission the truth, is that right?---Yes.

There's nothing that you've told the Electoral Commission that afterwards, you thought, well, hang on, I may have not told them the full truth, or there was maybe something I told them that was wrong?---Yeah, I don't think so.

If we just turn the page, you will see there that this is a transcript, so this is writing out all the words that you said and that the others during the interview said, do you see that there?---Sorry?

10 So just have a look there. This is a transcript, so it's typing out the various things that, for example, Inspector Baragry said. You see that at the top of the page? And then it's recording the answers that you gave during the interview. Do you see that?---Yes.

And do you recall whether you've received a copy of a document that looks like this, a copy of this transcript before? Or do you think it was just the DVD that you referred to before?---I think it was the DVD.

20 But you were doing your best to tell the truth and the whole truth during the interview with the Electoral Commission, is that right?---Yes.

Can we then please go to page 65. Now, after you had the interview with Mr Baragry and his colleague, you were asked whether you would sign a further statement, is that right?---Yes.

And a statement that was prepared appears on the screen, is that right?
---Yes.

30 And you read this statement carefully and then you signed it on each page, is that right?---Yes.

And this statement accurately sets out certain evidence that you would be prepared to give as a witness, is that right?---Yes.

And everything that's said in this statement is true and correct, is that right?
---Yes.

40 I'll just turn the page, just so you can see the full statement there. That's the full statement, the nine-paragraph statement, plus an attachment. If we just go over the page, it's plus an attachment, which is one of the documents that you and I have already discussed today, is that right?---Yes.

And what's said there was your honest evidence to the Electoral Commission, is that right?---Yes.

That's the examination, Chief Commissioner.

THE COMMISSIONER: Any applications to cross-examination Mr Yip? No? No applications? Very well. Mr Yip, thank you for your attendance today.---Thank you.

You're excused. Thank you.

THE WITNESS EXCUSED

[3.17pm]

10

MR ROBERTSON: Chief Commissioner, I tender the bundle to which I was taking the witness, which is constituted by annexures HC 1 to HC 9 in the statement of Peter Baragry, dated 20 September, 2018. That statement has been separately tendered as Exhibit 154 but not all the annexures have been tendered, so I'm not tendering annexures HC 1 to HC 9 of Mr Baragry's statement of 20 September, 2018.

20

THE COMMISSIONER: Perhaps that could be marked as Exhibit 237. The annexures HC 1 to HC 9 to the statement of Peter Baragry, which is Exhibit 154.

**#EXH-237 – ANNEXURES HC 1 TO HC 9 OF BARAGRY
STATEMENT DATED 20 SEPTEMBER 2018**

30

MR ROBERTSON: May it please the Commission. And of course that will be subject to the general section 112 direction that you made at the start of the public inquiry, concerning personal information and the like.

THE COMMISSIONER: Yes. I do direct that there be no publication of the personal information contained in the documents, such as addresses, phone numbers, email addresses and the like. Anything else?

MR ROBERTSON: Nothing for my part, Chief Commissioner.

THE COMMISSIONER: Then I'll adjourn.

40

AT 3.18PM THE MATTER WAS ADJOURNED ACCORDINGLY

[3.18pm]