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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 DECEMBER, 2019

AT 2.10PM

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.

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Chief Commissioner, can I deal with a housekeeping matter first? In between the first phase of this public inquiry, in about October of 2019, NSW Labor and Country Labor provided the Commission with a statement signed by Mr Mark Lennon, who is the president of those two political parties. Can I have that on the screen, please?

10

I'll shortly tender Mr Lennon's statement, which addresses matters including matters that NSW Labor and Country Labor have done by way of changes to their procedures and the like since certain allegations including those the subject of this inquiry have come to light.

20

Can I just highlight some aspects of this statement? If we first go to paragraph 17 on page 4, please, one of the matters that Mr Lennon addresses are reviews that the parties undertook between 2015 and 2016, and he identifies in general terms at paragraphs a, b, and c, those particular reviews, and he's exhibited those to this particular statement. In a moment, I'll tender the statement, including the exhibits.

30

In my submission, the statement is useful evidence relating in particular to the recommendations aspect of this Commission's enterprise. I'm not proposing to call Mr Lennon to give separate evidence, and subject to any submissions that anyone may choose to make, in my submission it's not appropriate for Mr Lennon to be the subject of cross-examination on this statement. The statement is more in the nature of a submission and general information that may be relevant to the recommendations aspect of what this Commission will do, and it may well be matters that are relevant to submissions that either NSW Labor, Country Labor, or indeed, perhaps other political parties may choose to make. But it does provide some useful background information in relation to matters of that kind.

40

And so I first highlight paragraph 17. Can I then highlight paragraph 20, which is on page 6? There Mr Lennon deals with further measures that he says has been undertaken to what he describes as "strengthen processes concerning donations," and he sets out in summary terms a number of those aspects, including by reference to exhibits, which will ultimately form part of the tender that I'll make in a moment. And then finally, if we move to page 9, paragraph 26, you'll recall, Chief Commissioner, that there was some evidence concerning a letter of 19 December, 2018, that was sent to you by way of in effect a complaint in relation to the search warrant that was executed at the Sussex Street offices, and you'll see that Mr Lennon on behalf of the two political parties for which he is the president gives a unreserved apology to the Commission and to the staff of ICAC for it being sent, and you'll note that the final sentence, Mr Lennon says that he

welcomes this Commission activities in exposing the misconduct and unlawful conduct by individuals.

10 In my submission, this statement is appropriately put before the Commission by way of evidence, but as I say, subject to any submissions that anyone may choose to make, my submission will be that it simply be received as the evidence. It will be subject to submissions that people may choose to make, but subject to that, it should be tendered and received as an exhibit. And given that, I tender Mr Lennon's statement of 9 October, 2019, including its exhibits.

THE COMMISSIONER: Mr Robertson, have copies of this document been provided to other parties who have been granted leave to appear?

MR ROBERTSON: Not yet, but that of course will become available once the exhibit is made available on the public website.

20 THE COMMISSIONER: I haven't had the chance of reading the statement. It might be, might require a precautionary step of restricting publication for a short time until I've had the opportunity of doing so, and in the event, even if it be an unlikely event, of anybody who has an interest, a proper interest in the proceedings wanting to raise any matter. Do you see any problem with following that course?

30 MR ROBERTSON: I have no difficulty with that course. I should indicate that I've reflected on whether anyone may have an interest in the whole statement not being published. In particular, I gave consideration as to whether Mr Clements may well wish to make any submissions in relation to that matter, because one of the reports was in the context of allegations that were made against Mr Clements, but the detail of those allegations are not the subject of this statement at all. So my review of this material is such that no-one would have a proper interest in making application for, for example, a suppression order. But I have no difficulty as a matter of procedure if it's received by way of an exhibit with parties having leave, although I should say I've given the matter that you've identified, Chief Commissioner, consideration, and at least as I see it, no party who has leave to appear would have a proper interest in applying for a suppression order with respect to the material.

40 THE COMMISSIONER: Yes. Well, then I think what I'll do is I'll make an order under section 112, which will be expressed to be until further order, and it may be that towards the end of this week, towards the end of the current segment, I can deal with whether any suppression order continues or is lifted, or whether any discrete aspect of it needs to be the subject of continuing restriction. So, then the statement of Mark Lennon dated - - -

MR ROBERTSON: 9 October, 2019.

THE COMMISSIONER: - - - thank you, 9 October, 2019, will be admitted. That'll be marked as Exhibit 339.

**#EXH-339 – STATEMENT OF MARK LENNON, PRESIDENT OF THE AUSTRALIAN LABOR PARTY (NSW BRANCH) AND THE COUNTRY LABOR PARTY, DATED 9 OCTOBER 2019**

10 THE COMMISSIONER: For reasons I've just expressed I make a direction under section 112 of the Independent Commission Against Corruption Act 1988 restricting the publication of information with respect to Exhibit 339 until further order. I note that the restriction will provide an opportunity for any affected party or interested party to be heard before a final decision is made as to whether the direction is to continue or not, or whether any part of the exhibit is to be the subject of continuing restriction or not. To that end accordingly the order as I've indicated suppressing the publication of Exhibit 339 will continue until further order and I anticipate that later in this week I'll revisit the question as to whether the direction should be  
20 terminated.

**SUPPRESSION ORDER: I MAKE A DIRECTION UNDER SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 1988 RESTRICTING THE PUBLICATION OF INFORMATION WITH RESPECT TO EXHIBIT 339 UNTIL FURTHER ORDER.**

30 MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Yes, very well.

MR ROBERTSON: Mr Wood, do you adhere to the evidence that you gave in the compulsory examinations before this Commission on 8 November, 2019 and 11 November, 2019?---Yes.

There are no changes that you wish to make to the evidence that you gave on those two occasions. Is that right?---Um, um - - -  
40

THE COMMISSIONER: What's the problem?---Yeah, so yeah, no problem, no change, no change.

MR ROBERTSON: Is there something funny, Mr Wood?---No, no, no, no. I'm, I'm sorry because I just try to memorise, so yeah, so - - -

THE COMMISSIONER: Well, you haven't re-read the transcript or you haven't read the transcript of the evidence you gave on those two days. Is that the case?---(No Audible Reply)

Is that the case, you haven't read the transcript of your evidence given in compulsory examination. Is that right or not?---Yeah, yeah, I - - -

THE WITNESS: \*I haven't read it.\*

10 THE COMMISSIONER: Look, I think, please, Madam Interpreter, I think we'll just see how we go after, in this segment after lunch and if Mr Wood requires your assistance I've invited him to indicate that, but I think he was going along quite well before the luncheon adjournment, so let's see how we go. I'm simply making this inquiry of you, I hope to assist you, Mr Wood.---Thank you very much.

Have you read the transcript of the compulsory examinations involving yourself to which counsel's just referred, that is the evidence you gave on, is it the 8<sup>th</sup>, is it?

20

MR ROBERTSON: The 8<sup>th</sup> and the 11<sup>th</sup>, Chief Commissioner.

THE COMMISSIONER: The 8<sup>th</sup> and the 11<sup>th</sup> of this year. Have you read the transcript or have you not?---No, no, no.

No, you haven't, okay. So all you have is your recollection, some recollection of the evidence you gave, but not the detail of it. Is that the position?---Yeah, the - - -

30 Is that right?---Yeah, I'm not read the transcript.

No.---Don't have the transcript, yeah.

But based on your recollection, is there anything that you said that you wanted to change when you came to the Commission today or is there nothing that you were troubled about?---Just say no change. Okay.

40 All right. Well, I think at some stage we might consider the question as to whether Mr Wood should be given the opportunity of reading the transcript and if there's any particular matters that he wants to change his evidence he can let us know, but I think at the moment, as I understand it, there's no changes that he seeks to make.

MR ROBERTSON: And you were doing your best to tell the truth on the 8 and 11 November during the private hearings. Is that right?---Yes.

Back to the meeting at the farm. Do you agree that you wanted Mr Ernest Wong to attend the meeting at the farm so that he could give you some

suggestions as to how the farm might be developed?---It's not me, it's Dr, Dr Liao.

Well, Dr Liao wasn't even at the meeting at the farm, was he?---Dr Liao, he organised the meeting at the farm.

He may have organised it, but he didn't attend, did he?---He attend.

10 When Dr Liao was alive he would write meeting minutes in relation to meetings that Wu International would have. Is that right?---Yes.

He would send out agendas and he would send out meeting minutes. Correct?---Yes.

And he would send it out to a number of people, including you. Correct? ---Yeah, you have there, then yes.

20 And you told us before I think that Dr Liao was quite a diligent employee. Is that right?---Intelligent, yes.

Intelligent, but also very careful. Is that right?---Yeah, he's working very hard, yeah.

He worked very hard and his work was usually accurate and correct. Is that right?---Yes.

He would not make many mistakes. Is that right?---Yes, but, yeah, yes, he try everything the best, yeah.

30 Can we have the meeting minutes of 10 August, 2015 on the screen, please. Do you see there on the screen, Mr Wood, an email from Dr Liao to you of 10 August, 2015?---(not transcribable) Yeah, yeah.

And you received a number of emails like this one from Dr Liao that has meeting agendas attached to it. Is that right?---Yes.

40 And can we go to the meeting minutes themselves and go to page 4 of them. Do you see there two paragraphs regarding farm development, do you see that?---(not transcribable) Yes.

Do you see that, Mr Wood?---Yes.

And do you see, and this is the inspection of a farm that you're referring to both this morning and a little bit earlier. Is that right?---Yes.

But you'll see, won't you, that the inspection attendees were Ernest Wong, Alex Kenny and Terry. Do you see that there?---Yes.

Does that refresh your memory that Dr Liao was not at the inspection of the farm with Mr Ernest Wong?---Dr Liao, he is in the farm, yeah.

Well, I'm suggesting to you that he wasn't there and that the meeting minutes record that he wasn't there. Do you agree?---(not transcribable) Because he organised this so, so yeah, he's, he's there but you say he's not here but, but, but he's, but he, but he was there, yeah.

10 Well, I'm suggesting to you that you're mistaken and Dr Liao did not attend the inspection of the farm. Do you agree?---Well - - -

During the inspection of the farm, you had at least some discussions with Ernest Wong, do you agree?---I am not – I just listening, not discussing it.

No, you spoke to Ernest Wong during that inspection, do you agree?---No.

And you wanted Ernest Wong's suggestion on developing the farm, do you agree?---Normally he spoke to Dr Liao.

20 You wanted Ernest Wong's suggestions on how to develop the farm, do you agree?---I just listen. I, yeah, so anyone can speak but I, I don't care, just, yep.

I'll ask it again. You wanted Ernest Wong's suggestions on developing the farm, do you agree?---For me, I really don't care, yeah. I don't yeah, so - - -

No, you did care. You wanted to develop this site, do you agree?---Yeah, yes.

30 And you wanted Ernest Wong's help on that matter, do you agree?---Help, yeah - - -

Why are you struggling with this question? It's quite an easy one. Did you want Mr Ernest Wong's help or not?---Of course, I want anyone's help but - - -

Now, at that point in time, Mr Wong was a councillor at the Burwood Council, is that right?---That time is, yeah, I don't really remember, yeah.

40 You'd at least agree, wouldn't you, that as the time of this meeting you had a business relationship with Mr Ernest Wong, would you agree?---No.

You wanted Ernest Wong's help and you were happy to assist him in return, do you agree?---No.

And you assisted him by keeping him informed of the Electoral Commission's investigation concerning donations, do you agree?---No.

For example, you told Ernest Wong that Mr Tong had been given a notice to produce, do you agree?---Can you – pardon, again?

You told Mr Ernest Wong that Mr Tong, Mr Steve Tong, had been asked to give documents to the Electoral Commission, do you agree?---I don't remember, really, yeah.

10 Well, are you saying that it's possible that you did tell Mr Ernest Wong that matter?---I think I don't tell anything, so in my recall, yeah.

Well, can I suggest this to you. Mr Tong told that he was asked to produce documents on the 14<sup>th</sup> of September, 2016, and you told Mr Wong the next day. Do you agree?---No. In, in my, in my recall, I don't have - - -

So you deny telling Mr Wong that Mr Tong had been required to produce document to the Electoral Commission, is that right?---Yes. Yeah.

20 You at least told Mr Wong that Mr Tong had been asked to attend the Electoral Commission for an interview, do you agree?---Mmm, maybe have, but I don't remember, yeah. Maybe have, maybe have not, I, I don't remember.

So you're accepting that you may have told Mr Wong of that matter, is that right?---Mmm, maybe have, maybe have not, so, I, I don't, I don't really remember, yeah.

30 Well, you found out in May of 2017 that Mr Tong had been asked to provide a witness statement to the Electoral Commission, do you agree? ---Yeah, in the 2017, yes, yeah.

And in the same month, May of 2017, you started to do work for Mr Ernest Wong, do you agree?---Yeah, yes, I, yeah, yeah is, yes is happen. But I, I don't remember the exactly date, yeah.

Well, let me help you this way. Can we go to the Parliament House bundle, please, the final page of that bundle.---Yeah.

40 You at least agree, don't you, that Mr Wong organised for you to have a access pass to Parliament House?---Yes.

At that point in time, you and your company were property developers, is that right?---I think, yeah, I think that time, yes, stop the, yeah, so (not transcribable) just, yes, don't have a second project.

Well, your company is still in the business of property development, do you agree?---No.

It still wants to develop the farm that we spoke about a moment ago, do you agree?---The farm, yep, the, yeah, the, the farm, yeah.

Your company, you and your company still want to develop that farm, do you agree?---Yeah, to build, yeah, we just ask the (not transcribable) to build a, like a, yeah, I think solar farm, yeah.

Well, yes, so you would like to perform development activities, perhaps a solar farm, on the farm we talked about earlier today, do you agree?  
10 ---Mmm (not transcribable) yes, yes.

So do you agree that your company is still in the business of seeking to develop properties, do you agree?---Okay, yeah, you can say yes, okay.

So throughout the period from 2015 to date, your company is a company that has sought to develop properties, is that right?---Mmm, no, yeah, one, yes, one of the, yeah, so, just say Wu International is, yeah, stop, yes, it's, yeah, we, yeah.

20 But Wu International still wants to develop the farm we spoke about, for example, do you agree?---Yeah, yeah, we just have, okay, we just want to invest the money on, on it, not, yeah.

No, not just invest the money, you want to develop that farm, do you agree?  
---Developing a farm, of course, of course, you, but, just say, not, not, I, okay, so developer, knocks back developer, okay? So just say, you know, have opportunity, they, they invest the money there, that's it.

30 Are you saying that if an opportunity arises, Wu International Investments Pty Ltd would like to develop the farm that we spoke about? Are you agreeing with that?---Mmm, okay, you can say yes, you can say no. I'm, I'm talking, oh, I'm, never mind, okay?

Well, the farm is identified on your company's website as an upcoming project. Do you agree?---Yes.

And it's an upcoming project because it's a site that your company wishes to develop. Do you agree?---Yeah, we, we held, we held, we held the, we held like the, yeah, we held the, the (not transcribable) to, to make the (not  
40 transcribable) develop.

So you're agreeing with me that Wu International Investments Pty Ltd would like to develop the farm that we spoke about. Do you agree?---To develop, okay ah - - -

Do you agree with that or not? You're the director of this company, surely you know.---Yeah, so yeah, I just want to make sure. So (not transcribable) developer, so what problem do we have, so I don't know, so yeah, so we,

we, we, we just, we just to help to manage it, the farm develop, not, not, not, not directly to develop, yeah.

So are you saying that one of the things that Wu International Investments would like to do is manage the development of the farm that we spoke about. Is that what you're saying?---Yeah, just to help the, the other company to develop, yeah, give advice and, and - - -

10 To manage the development of that property. Is that right? That's what you want Wu International Investments Pty Ltd to do. Is that right?---Ah - - -

And that's why it's described as an upcoming project on Wu International's website. Is that right?---Okay, yes, yes.

Parliament House records, final page, please. Now, do you see on the screen an application for a parliamentary security pass?---(No Audible Reply)

20 Do you see that, Mr Wood?---Yes.

And where it says, "Applicant's signature, about eight-tenths of the way down the page, is that your signature?---Yes.

Whose handwriting is on the balance of this document, is that your handwriting or someone else's handwriting?---Ah, you mean the signature?

No, I mean for example, "Position title – researcher."---You mean - - -

30 Is that your handwriting or someone else's handwriting?---I think it's not my handwriting, yeah.

Do you recognise whose handwriting is it?---Yeah, I don't remember, so yeah.

But you at least agree that the signature is your signature. Is that right? ---Yes, yes.

40 And you'll see here that it says, "Access dates 8 May, 2017 to 10 November, 2017." Do you see that there?---Yes.

And is that consistent with your recollection of when you had a security pass to access Parliament House?---(No Audible Reply)

Is it consistent with your recollection that you had access to Parliament House between about May of 2017 and November of 2017?---Yes.

And you'll see there that your position title is described as researcher. Do you see that there?---(No Audible Reply)

About three-tenths of the way down the page?---Okay, yep. So researcher, yeah.

Does that accurately represent your title when you were working in Mr Ernest Wong's office?---Yes, yeah, I think, yes, yes.

How much did Mr Wong pay you to be his researcher in his office from May to November 2017?---Nothing, because I am the volunteer.

10

And why did you choose to volunteer for Mr Wong?---Yeah, because yeah, he, yeah, he, like a um, yeah um, yeah, I, why he um, yeah, he, so he, he want to, like ah, ah, discipline, discipline me, training me to become the, like the, the (not transcribable) like Australia and Chinese Association community, yeah.

So is it right to say that you were volunteering to assist Mr Ernest Wong because he was agreeing to assist you in certain matters, it that right?---I don't know him, I don't know him. I, I don't know him, I don't know him.

20

I know him, I don't know him or I don't know who he, what, yeah, what he was thinking, yeah.

Well, what were you expecting in return in exchange for you volunteering to assist Mr Wong in his office?---Okay, yes. Because I am, yeah, because I, I very interested in the, like people, the State Government, whenever they, they working in the Parliament House, I am very, very interested if I, if I can do the (not transcribable) there and working there I feel very proud in the Chinese culture. I feel I am famous, I am important and I, I think I need to get that experience to understand the, yeah, yeah. So - - -

30

Is it fair to say that you regarded Mr Ernest Wong as a mentor?---I just say, yeah, you can say, yeah. Well, I don't know what he is thinking but yeah, I just know, understand my thinking. Okay, I just say, yeah, yeah, yeah, he give me this opportunity, yeah.

Well, I'm trying to understand your thinking. You saw Mr Wong as someone who could assist you in becoming a leader within the Chinese community in Australia, is that right?---Yeah. So, yeah. I, I just say, yes, I can get the experience from him, yeah.

40

You saw Mr Wong as someone who could help you in getting that experience and in becoming a leader of the Chinese community in Australia, is that right?---Yes.

You regarded Mr Wong as someone senior to you within the Chinese community within Australia, is that right?---Yes.

Do you still regard Mr Ernest Wong in that way?---No, no.

Why not?---Yeah, because now I think everyone know that he do the mistake, yeah, so, so, so, so I think I am, I am very, yeah, regret, I am lost in, in the past year with him, yeah.

What mistake are you referring to now, what mistake of Mr Wong?---Okay, so because the, you say the donation, yeah, you, you say the, because the newspaper say the donation so he, he do the, he do the wrong thing, yeah, yeah.

10

Do you know that he did the wrong thing just from the papers or do you know that from other information?---Just from the newspaper.

Well, you at least had some discussions with Mr Wong as to the Electoral Commission's investigation, do you agree?---No.

Not a single discussion with him at all?---Yes, no.

Is that your honest answer?---Yeah, I don't, yeah, I don't discuss with him any about these things, yeah.

20

Well, in May, Mr Tong told you that he was asked for a witness statement by the Electoral Commission, correct, May 2017?---Can you pardon the question? Yeah.

In May of 2017, Mr Tong told you that the Electoral Commission wanted him to give a witness statement, do you agree?---Witness statement, yeah.

An interview.---Interview, yes, yes, yes.

30

And in that same month, in May of 2017, Mr Wong gave you access to Parliament House through an access card, correct?---Yes.

Well, surely you had a discussion with Mr Wong at Parliament House regarding the matter of Mr Tong and the Electoral Commission's investigation, do you agree?---No.

You knew Mr Wong had something to do with this question of donations, correct?---Yes.

40

Well, surely you asked Mr Wong about it when you were working in his office.---Yeah, but I am not, I, I ask the question and discuss like this to him, I just do, do my work (not transcribable) yeah.

But you at least had some discussion with Ernest Wong regarding the matter, didn't you?---No.

In May of 2017, Steve Tong wrote you a few emails where he said he was very upset as to what had happened to him in relation to donations, do you agree?---Yes.

And can we go please to MFI 24, page 55. And just while that's coming up, you were described on the document we saw before as a researcher. What research did you do for Mr Wong?---Oh, yeah, the research just like, yeah, to, to know, understand the, like Australia Government, like leader, politician, Labor politician, how they are, are working and then, yeah, yeah, 10 yeah, so, and then the about the association, yeah, to how the association like a group, yeah, relate to the, yeah, relate to the like government, yeah, to, to, to the office. Yeah, I not, just something like that, yeah.

So are you saying you used your time at Parliament House to try and educate yourself on various matters of politics, is that what you're saying? ---No, no, no. It's not about the politic, yeah.

Well, I'm just trying to understand what research you were doing for Mr Wong while you were working at his office. Can you help me understand 20 that?---Yeah. Yes. Yeah, he just ask me, yeah, to research like the work style of the Australian, yeah, the, the, the government, yeah and then translate some, yeah, and, and then can, can give me some, yeah, give me some like, the politician or the government, let me translate in Chinese, yeah. And, and then normally to understand how the association, how to, how to reduce the, yeah, how to maintain, yeah.

Is it fair to say that when you were working in Parliament House for Mr Wong, it was more a relationship where he was your teacher and you were a bit like his student. Is that fair?---Yeah, yeah, you can say something like 30 this, yeah, you, you can say yes, he's my, yeah.

But he was helping you more than you were helping him. Is that fair? ---Just about yeah, so, so just, yeah, about association, yeah.

Well, he was helping to train you in becoming a leader of the Chinese community in Australia. Is that right?---Yeah, he just give me the advice, like this, yeah, just say you yeah, you, you want to be the leader, you understand this, this, this, yeah, you have to, yeah, yeah.

40 And he was giving advice on the things that you should do to achieve that object. Is that right?---He not give me to achieve the object, he just say you should go to the website, understand like the government, every projection and then the association, like Australian Chinese, yeah, Association, yeah to um, yeah, to - - -

But Mr Wong didn't need you to do particular tasks, you weren't helping Mr Wong with his parliamentary activities or his other activities, you were giving, you were getting access to Parliament House and Ernest Wong was

effectively training you. Is that right?---Yeah, pardon your question again, yeah, so - - -

When you had access to Parliament House in 2017, it was a relationship of teacher and student more than a relationship of worker and boss. Would you agree?---Yeah, I, yeah, I, this is my feeling like this, yeah, I, I, yeah, I feeling like this.

10 And am I right to understand from what you said before, you are now, you now feel uncomfortable about that relationship because of mistakes that Mr Ernest Wong has made. Is that a fair summary of what you said to us before?---I can say, yeah, you say, yeah, you can say yes because everyone need a good teacher, not a bad teacher, yeah. Need a good friend, not bad friend, yeah. Good, good person not bad person.

And so are you now saying with the benefit of hindsight based on what you've found out, you don't regard Mr Ernest Wong as being a good teacher, he is in fact a bad teacher. Is that what you're saying?---Just say from the newspaper make me feel like this.

20

So from what you've read in the newspaper it now makes you feel that Ernest Wong was a bad teacher rather than a good teacher. Is that a fair summary of what you said?---Yeah, yeah. Yeah, so, yeah, from my point, yeah, so, my, my, my thinking is, because this donation make, this donation make this thing happen, I, yeah, happen like, make, yeah, and then make Dr Liao pass away so, so I feel is, yeah.

30 So is it right that based on what you now know, both reading in the newspapers but also what happened to Dr Liao, you regret having the relationship that you had with Ernest Wong in the past, is that fair?---Yeah, this is my thinking.

Do you still have any relationship with Ernest Wong?---No.

And can you remember the last time you had any contact with Ernest Wong?---Yeah, at the, yeah, the, in 2008, the June, the, yeah, just the 20, oh, yeah, so I talk, just talk 20, yeah, yeah, just 24 the June last year, yeah. Actually we, yeah (not transcribable) Yeah.

40 I tender the document entitled Application for a Parliamentary Security Pass dated 8 May, 2017, as well as two accompanying emails, one being of 9 May, 2017, 11.01am, and the second being 11 November, 2017, 6.28am.

THE COMMISSIONER: Sorry, what was the date of the second email?

MR ROBERTSON: The second email was 11 November, 2017, 6.28am. The three pages of the bundle.

THE COMMISSIONER: Sorry. Well, the security pass application will become Exhibit, what is it, 340. The two emails will be marked as, respectively, Exhibit 341 and 342.

**#EXH-340 – APPLICATION FOR PARLIAMENTARY SECURITY PASS FOR ALEX WU RECEIVED 6 MAY 2017**

10 **#EXH-341 – EMAIL ON 9 MAY 2017 AT 11:01AM TITLED ‘NEW PARLIAMENT EMPLOYEE - ALEX WOOD - RESEARCH’ CONCERNING SECURITY PASS**

**#EXH-342 – EMAIL ON 11 NOVEMBER 2017 AT 6:28AM TITLED ‘TERMINATED PERSON - ALEX WOOD’ CONCERNING SECURITY PASS**

20 MR ROBERTSON: May it please the Commission. And can we go, please, to MFI 24, page 55? Mr Wood, do you agree that you received this email from Mr Tong sometime on 16 May, 2017?---Yes.

Do you agree that Mr Tong accurately sets out a state of affairs in this email?---(No Audible Reply)

Do you agree with what Mr Tong says in this email?---Yeah, because he and Dr Liao’s, I really don’t know, so, yeah.

30 So do you say that Mr Tong is lying when he says that you, being Alex Wood, used his name to donate \$5,000 to the Labor Party candidate Mr Wong, is that right?---I don’t know, no, no, because – \*I haven’t witnessed a donation, so how would I know? Please tell the.\*

But you understand that Mr Tong is alleging that you, Mr Alex Wood, used Mr Tong’s name in connection with a donation that he didn’t make, do you agree?---\*No, I disagree.\*

40 So you disagree with what Mr Tong says in this email, is that right?  
--- Okay, so, because Dr Liao, he understand this, I, I, I, I know this, I don’t know.

But you disagree with Mr Tong’s suggestion that you, Alex Wood, used Mr Tong’s name to donate money to the Labor Party, is that right?---Yes.

Chief Commissioner, I tender the document on the screen, being an email from Mr Tong to Mr Wu and Dr Liao, 16 May, 2017, 4.08pm.

THE COMMISSIONER: Yes. The email from Mr Tong, 16 May, will become Exhibit 343.

**#EXH-343 – EMAIL ON 16 MAY 2017 AT 4:08PM FROM STEVE TONG TO ALEX WOOD TITLED ‘RE: YOUR ELECTORAL DONATION’**

10 MR ROBERTSON: Can we turn to the next page, please. Now, Mr Tong sent to a second email on 16 May, 2017. Do you agree?---Yes.

And is it the email that we can now see on the screen? Is that the second email Mr Tong sent you on that day?---Yes.

And do you agree that you received this email on about the 16<sup>th</sup> of May, 2017?---Yes.

20 Do you agree with what Mr Tong says in this email?---Yeah. Because yeah, yeah, so, because I don’t know. So what, what he does with Dr Liao so I, I don’t know.

So you disagree, for example, that you used Mr Tong’s name for a donation to the Labor Party, is that right?---No.

You disagree with what Mr Tong says on that matter, is that right?---Yeah. I am (not transcribable). So I am, I am not use Steve Tong’s name to donate the money. I am, I am not, yeah.

30 THE COMMISSIONER: But you know from when you read this email from Mr Tong, he said he was deeply concerned with the matter and how it will progress. Do you remember reading that?---Yes.

And you don’t doubt, do you, that he was seriously concerned? You don’t doubt that he was?---Yes.

And you see he numbered seven points towards the bottom of that email and you read those seven points?---Yes.

40 And you saw the first one says, “I don’t know such donation,” and the fourth one says, “I haven’t pay any money for this donation.” See what he’s saying?---Yeah.

And when you read that, did you believe him?---Because I, I don’t know so I don’t know - - -

You don’t know.---Yeah.

But you know that he was maintaining his innocence in the sense that he said, "I didn't make any donation, I'm not party to this." You knew he was saying that?---Yeah. Because I really don't know because he have side of, you use, you know he, yeah, you saw, he has signed the form so it's his signature in - - -

And he was angry, wasn't he? You could tell from this email he was white hot angry, wasn't he?---Yeah, so, yep. So his, his characters is always angry with everyone, yeah, yeah, but - - -

10

But he was angry over being drawn into this falsehood about a donation, wasn't he? That's what he was angry about, yes?---Yeah. So if he angry then maybe Dr Liao do something wrong with him. So why were, how they are, yeah, so how, how - - -

And who – sorry, you go on.---Dr Liao, yeah.

And who was he addressing in this email?---It's me, yeah.

20

And you must have been concerned when you read his email as to what he was saying.---Yeah.

And what did you do?---Yeah, I do - - -

What did you do by way of response to this email?---Yeah, yeah. I just ask Dr, ask Dr Liao's advice, yeah, and then, yeah, and then he just asked me, yeah, for what this email for the accountant, yeah, yeah, and then, yeah.

30

But what did you do about it, apart from asking Dr Liao to look into it, what did you – he was writing to you. Did you reply to him?---I'm not, I'm not reply to him.

Why not?---Because I don't know. I don't know.

Because you don't know?---Yeah, because - - -

That's not an answer.---Because I - - -

40

Why did you not respond to Mr Steve Tong's email of 16 May, 2017, when he was making all these allegations? Why did you not answer his email? ---Yep, yeah, because I don't know he donate or not donate, yeah, because in the same day he give me, in the same day and then he give me like three, three email or, yeah, so I, yeah, I don't know exactly how many email he give to me, yeah.

You'll have to give a better answer than that.---So - - -

Why did you not respond to his email when in point 7 he accused you of using his name to do the donation? He was alleging you used his name for the donation without his permission. Why did you not respond to that allegation?---Yeah, I'm, I'm not response email back to him but I have, I just remember um, I give a call to him and go and make appointment with him and go to his house and discuss about his question.

And did you say to him, I am sorry that I used your name to make this donation, did you say that to him?---No.

10

Did you apologise?---No.

Why not?---Because I'm not use his name.

But you were party to Mr Wong's scheme, weren't you?---The scheme?

The scheme, a plan, Mr Wong's plan.---Oh, plan. Okay.

You were part of his plan.---No, I am not, no.

20

You alleged that you made a donation but you didn't. Isn't that the truth? ---No. No, I don't make the donation.

How did you pay the donation?---How do I know?

How did you pay?---How did I pay the donation?

The donation that you claim you made.---How do I pay the donation? I'm, I'm not pay the donation.

30

You didn't pay a donation?---Yeah, so it's Dr Liao and him, yeah, not, not me.

Okay. And you now know Mr Tong didn't make any donation, did he? ---He make the donation, not make the donation, I don't know, because only know is Dr Liao and him and, yeah.

Yes, Mr Robertson.

40 MR ROBERTSON: Are you just trying to blame Dr Liao because he's now passed away and he can't defend himself?---No.

You were part and parcel of Mr Wong's plan but you are now blaming Dr Liao. Do you agree?---No, I am not the, I am not the parcel of the, Mr Wong.

Do you at least agree that you put pressure on Mr Tong to not tell the truth to the Electoral Commission or to this Commission?---(No Audible Reply)

Do you agree that you put pressure on Mr Tong?---No.

Well, do you agree that you visited Mr Tong late last year at about 8 o'clock or 9 o'clock at night?---Yes.

And one of the purposes of visiting Mr Tong was to discuss the ICAC's investigation, do you agree?---(No audible reply)

10 That's what you said during your compulsory examination. Is that still your evidence or do you want to change your evidence?---Yes. I mean, yeah.

Do you deny that you said that one of the reasons you attended on Mr Tong late at night last year was about the ICAC matter. Do you deny that, do you?---Yeah, it was about Dr Liao.

No. One of the reasons you attended on Mr Tong late last year after Dr Liao had passed away was to discuss the ICAC matter, do you agree?---No, I just check on his health.

20

No. Do you agree that you told this Commission on 11 November, 2019, that one of the reasons you attended on Mr Tong late last year was about the ICAC matter?---So, I don't recall I, I, I say this.

Let's put it on the screen. Transcript of 11 November, 2019, please. And while that's coming up, I tender pages 56 through to 70 of MFI 24, being the email from Mr Tong to Mr Wu, 16 May, 2017, 6.23pm.

THE COMMISSIONER: Yes. That will become Exhibit 344.

30

**#EXH-344 – EMAIL ON 16 MAY 2017 AT 6:23PM FROM STEVE TONG TO ALEX WOOD TITLED 'DONATION TO LABOUR'**

MR ROBERTSON: Can we go please to page 2278, which is PDF page 23. Now, Mr Wood, I'd like you to have a look at the question that starts at line 34 and starts at the words, "So why did you decide to go and see Mr Tong in the dead of night?" Do you see that line there, Mr Wood?---(No audible

40

reply)

Can you see that there, about line 34, "So why did you decide to go and see Mr Tong in the dead of night?" Do you see that?---So line 34, right?

About line 34. Just read that to yourself, please.---Yeah. So, yeah, so - - -

So do you agree that you told this Commission on 11 November, 2019 that one of the reasons you were going to see Mr Tong late last year was to discuss the ICAC matter?---Just about Dr Liao's ICAC, yeah, yeah.

So you're agreeing with me that one of the reasons that you wanted to see Mr Tong was to discuss the ICAC matter?---Is, is, is (not transcribable) but in, yeah, so he, he just, yeah, so he just ask why Dr Liao died, yeah, just say something like this, yeah.

10 When you set-off to go and see Mr Tong late at night in November of last year, one of the things you wanted to discuss with him was the ICAC matter, do you agree?---ICAC matter, no, no.

Well, that's what you said to us on the 11<sup>th</sup>. Was that not true evidence, was it?---Yeah. So is about, yeah, so you, he ask why Dr Liao dead then I just - - -

No, no, no, pause there, pause there. Mr Kenny Zhan drove you to see Mr Tong late one night towards the end of last year. Do you agree?---Yes, yes.

20

And it was your idea to go and see Mr Tong. Correct?---Yes.

And you told Mr Zhan to drive you to see Mr Tong. Correct?---Yes, yes.

Before you set off to see Mr Tong you knew that this Commission was conducting an investigation. Do you agree?---No. No, I don't know.

So why did you tell this Commission on 11 November that one of the reasons you wanted to see Mr Tong was to talk about the ICAC matter?  
30 ---Because Steve Tong asked me about Dr Liao's death and I tell the, yeah, I tell the, the, relate the story to him.

What story did you relate to Mr Tong?---Just say yeah, there's two detector, yeah, to, to see um, yeah um, ah, Dr Liao and Dr Liao's just had suicide and then, yeah, is about, yeah, so - - -

Was the evidence that you gave in answer to the question that I asked at line 33 on the page, was that true evidence or false evidence?---That is true evidence.

40

So one of the purposes of you going to see Mr Tong was to discuss the ICAC matter. Do you agree?---No.

Well, I'm sorry, which story do you want to stick to, the one that we can see on the screen or the answer that you've just given, which one? Can't be both. You can't sit there and say yes and no in the one breath.---Okay.

Pick one, please.---So which one is not true, which one is true, sorry?

Yes. I'd like to know what your evidence is, Mr Wood. You've agreed with me I think that one of the reasons, that you told this Commission on 11 November that one of the reasons you wanted to see Mr Tong was to discuss the ICAC matter. Is that your evidence or not?---Okay. So, okay, so I go to see him for his health and then just talk about Dr Liao's (not transcribable) and then he ask why and then I just told him, but this is, the question he asked me, the question I response to him is not - - -

10 Are you saying you told Mr Tong about the ICAC investigation?---Yes, yes, about Dr Liao, yeah.

No. Are you saying you told Mr Tong about the ICAC investigation?---Yeah, just a little bit, yeah.

So at least part of the discussion, with Mr Tong, in your car, late last year, at night, was about the ICAC investigation, correct?---Yep, yeah, so, I don't remember, yeah? I don't remember now.

20 No, no, it's - - -

THE COMMISSIONER: What? You don't remember?---So, so - - -

Look, Mr - - -?---Yeah, yeah, yeah, yep.

Mr Wood, you see the page on the screen?---Yep.

Just read between line 30 and stop before you get to line 40. Just read it. ---Mmm.

30 Read it.---So - - -

No, no, just read it to yourself, and let me know when you've finished reading it.---34, right?

30, 3-0.---3-0.

Read down to 3-0. From 3-0 down to 40.---Oh.

40 Have you finished reading?---No.

It's only five lines, seven lines. You read it?---Yeah.

Is the evidence that you gave between lines 30 and 40 true and correct? ---Yeah, from my memory (not transcribable) almost, okay.

From your memory?---Yeah.

It is correct, true and correct evidence, is it?---Yeah, yeah, almost, okay?

Thank you. Yes, thank you.

MR ROBERTSON: Who told you about the ICAC investigation?---No-one told me, yeah.

How did you know about it, then?---How do I know? Yeah.

10 Yes. How did you know, when you went to see Mr Tong in November of last year, that there was an ICAC investigation? Who told you?---Yeah, no-one told me, yeah.

Well, how did you know? Did it magically appear in your mind?---Oh - - -

How – please explain it to me.---So I just to see him, how do I know, oh, how do I know the ASIC [sic] people do the investigate with him?

20 I'm asking you, how did you know, when you went to see Mr Tong, that there was an ICAC investigation?---I just say, I don't know the ICAC people investigate him, yeah.

Well, in your compulsory examination on 11 November, you said it was because you saw a suicide note on Mr Liao's desk. Do you remember giving that evidence?---Can you pardon the question?

30 Do you agree that on 11 November, 2019, when I asked you the same question about how you knew about the ICAC investigation, you told this Commission that you found out about it from one of the notes that was left on Dr Liao's desk. Do you remember giving that evidence?---2019. Okay, yes, yes. Yes.

And then I pointed out to you that the note that he left on his desk didn't even refer to ICAC. Do you remember that?---Can you pardon that, please?

40 Let's do it this way. Can we go to 2282 of the transcript, page 27, please. If you have a look first at line 10, I asked you, "How did you know about the ICAC investigation," and you said, "Nobody told me," and line 8 and you said at line 13, "Because when Dr Liao passed away there were a lot of letters and documents in his office on the desk." Do you see that there? ---Yes.

And so do you remember me asking you about that on 11 November, 2019, in a private hearing in this very place?---Oh, yeah.

You remember you and I have discussed this before?---Yes.

And I showed you a copy of the suicide note that was on the desk and that note doesn't even refer to ICAC, agree?---But, yeah, but the (not transcribable) is, is, have say two detectives, right? And then, yeah.

Do you agree – I withdraw that. I want to know how you knew about ICAC's investigation. What's your answer?---Yeah, so because, yeah, the ICAC letter is in the paper here. So, so yeah.

10 The letter that Dr Liao left on his desk didn't say the word ICAC. Do you agree?---This is what I think.

I'm suggesting to you that your explanation can't possibly be true and that there's some other explanation as to why you knew about the ICAC investigation, do you agree?---Yeah. So it's true, so just the letter and see the ICAC letter. So then I came thinking, yeah.

20 So is it still your evidence that no one told you about the ICAC investigation before you met with Mr Tong late last year. Is that still your evidence?  
---Yes.

I suggest to you that that's a lie you're telling to this Commission, do you agree?---Then who tell me? Yeah.

You're disagreeing, are you, that you've just been lying to this Commission, is that right?---Yeah, I don't remember who tell me this, yeah.

30 Well, does that mean you think someone did tell you about the Commission's investigation?---From my memory, I just have the recall, yeah.

I'm just trying to understand what your evidence is, Mr Wood, because we seem to be changing it as the wind blows from left to right. Is it your evidence that no one told you about the ICAC investigation, is that still your evidence or is your evidence something else?---Yes.

So it's still your evidence that no one told you about the ICAC investigation, is that right?---Yes.

40 And so how did you find out? I still don't understand. How did you find out about the investigation if no one told you?---So yeah, so I just go to see Mr Tong, I make appointment and that's it.

But you've agreed that you knew about the ICAC investigation before you set off to see Mr Tong. Correct?---I only know is the ICAC invest Dr Liao, yeah.

So you knew that ICAC was interested in speaking to Dr Liao before he died. Is that right?---No.

Well, didn't you just say 10 seconds ago that you knew that ICAC wanted to speak to Dr Liao, or did I misunderstand?---No, I don't think I say.

You were aware when Dr Liao died that he had a meeting with this Commission that he was due to attend. Do you agree?---I don't know.

Dr Liao told you that he had an important meeting to attend with this Commission. Do you agree?---No.

10

You were the vice-chairman of the Australia China Economics, Trade & Cultural Association. Is that right? Otherwise known as ACETCA?---Yes, yes.

And that organisation held its annual dinner on the night that Dr Liao died. Is that right?---Yes.

20

Ernest Wong was in attendance at that dinner. Correct?---Yeah, I think he showing but I really don't remember, yeah. Yeah, he, yeah, he may be showing, yeah, yeah, so - - -

You expected as the vice-chairman of that organisation for Mr Ernest Wong to attend that evening. Correct?---Is, is not me decide, is not me to decide, I just, yeah.

No, but you expected him to attend. Is that right?---No.

30

You at least expected your staff at Wu International to attend. Do you agree?---Yeah, I asked, yeah, staff to attend, yeah.

Including Dr Liao. Correct?---Yeah.

Dr Liao said that he couldn't attend because he had an important meeting the next day. Correct?---Yes.

And Dr Liao was in fact found dead later on that evening. Is that right? ---Yes.

40

But you knew what that important meeting was, didn't you?---No.

You knew that the important meeting was a private hearing before this Commission. Do you agree?---No.

You were putting pressure on Dr Liao to answer questions in a particular way so to avoid you being implicated. Do you agree?---No.

And you put similar pressure on Mr Tong when you visited his house late last night, late last year at about 8 o'clock to 9 o'clock at Mr Tong's premises. Do you agree?---No.

In fact, during the course of your discussions with Mr Tong you said words to the effect of "Just stick to what you said earlier and it will be fine," do you agree?---No.

10 You also facilitated a meeting between Mr Tong and Mr Ernest Wong in about September of last year. Do you agree?---Yes.

And you know that that meeting ultimately occurred, do you agree?---Yes.

THE COMMISSIONER: Why did you organise that meeting between Mr Wong and Steve Tong?---Yeah, because I asked my staff Kenny, yeah, so he give a call to Steve Tong, asked, asked Steve Tong, yeah (not transcribable) want to see Mr, Mr Wong, yeah. And, and then, and then they both say yes, then they make the appointment with him.

20 Now you listen to my question and don't avoid it.---Yeah.

I'll put it again. Why did you arrange the meeting between Mr Wong and Steve Tong?---Because Steve Tong, he asked me, yeah, help. He asked me his help in, in the 2017. He send me the letter, yeah.

When? When? When in 2017?---In the May, the email, yeah.

30 And did you speak to Mr Wong? Did you speak to Mr Tong about the email?---Sorry?

Did you speak to Mr Tong after you say he sent you an email in May?---Can you (not transcribable) question? Sorry, sorry.

I'm asking you why you arranged this meeting.---Yeah.

Why did you?---Yeah, so help. Yeah, because Mr Tong asked me for help to, to see and talk to Mr Wong, yeah.

40 And did he ask you verbally or did he ask you that in an email?---Just an email, just say the email, okay.

Which email? May did you say?---Yeah, so - - -

Can you help us? Which one?

MR ROBERTSON: Is that the email that you and I discussed a little bit earlier today?---Yes, I think last time the email, I give lots of email to you. One of the email is there, so - - -

Can we go to MFI 24, page 55, which is now Exhibit 343. Is this the email that you're referring to, Mr Wood, that led you to set up a meeting in Parliament House with Mr Wong?---So I think - - -

THE COMMISSIONER: Just answer the question.---Yeah.

Is this the email that you were referring to?---I think there's another email.

10 MR ROBERTSON: Let's go one further page.

THE COMMISSIONER: Not this email?---Not this one.

MR ROBERTSON: Let's go one further page, which we can use from Exhibit 344 of that's more convenient than the MFI reference. But you're talking about a May 2017 email, is that right, Mr Wood?---Yep.

Is this the email that you're referring to in response to the Chief Commissioner's questions?---Not this one. I had another one.

20

On or about the same date or at some different time?---They all happen in the May or I don't know exactly the days but they are really close. I, I give to you, yeah.

May of 2017, is that what you mean?---I really don't remember the dates, yeah.

30 The email on the screen is an email of 16 May, 2017. Are you saying it was sent around about the time of this email?---What date this email? There's another email. I think I give to you, yeah.

But I'm just asking about timing. Are you saying that the email you're now referring to was an email sent around May of 2017?---Sorry. I really don't, don't remember the, the, the dates.

THE COMMISSIONER: Well, you told me a while ago it was in May 2017 that this email was sent by Mr Tong, didn't you? You told me that, didn't you?---Sorry?

40 You said a short while ago that you received an email from Steve Tong wanting you to help him by arranging a meeting between him and Mr Wong, correct? That's what you said a moment ago, yes?---I'm not 100 per cent correct. So he just, he only, something like this, just say something like he want me to help him and then to give (not transcribable) form to him or, or maybe make a meeting with him. I don't, yeah, so just say the email and then, yeah, you, you know that, yeah.

I see. So you were just making that up before, were you, when you said there was an email sent by Mr Tong on May 2017 in which he's asked you to arrangement this meeting with Mr Wong, you just make that up, did you?---So, Mr - - -

No, please answer my question. Did you just make - - -?---(No audible reply)

10 Now, did you just make up that piece of evidence, did you? You can understand me, can't you? Did you just make up that piece of evidence, did you, that you received an email from Mr Tong asking you to make arrangements for a meeting with Mr Wong?---No.

Well, why did you say it?---I not do this, yeah, so he, Steve Tong send email to me, yeah.

20 But you are now not certain at all that Mr Tong emailed you and asked you to set up a meeting with Mr Wong. You don't know now, do you, whether he did or he didn't?---Sorry, I little bit confused. Sorry about that, yeah.

Okay, let me put it again. A short while ago you said that Mr Tong sent you an email and you thought it was in May 2017?---Yeah. Yes.

Right. The email, you said, contained a requires from Mr Tong to you to arrange a meeting for him and Mr Wong. Now, did that occur or did it not occur, that is, did you receive an email of that kind or not?---Um - - -

30 Do you remember if you received an email like that or don't you remember?---I don't remember.

Okay. Well, why did you say you had remembered before?---Um yeah, so - - -

You just made it up, did you?---No.

Just lying, were you?---No, no, no, no, I - - -

Just lying, were you?---No, no, no.

40 You didn't receive an email from Mr Tong asking you to set up a meeting with Mr Wong, did you? You didn't receive such an email, did you, never, ever?---Just the email is - - -

Did you or did you not receive such an email or request from Mr Tong, to set up a meeting with Mr Wong. Did you or didn't you receive such a request from him?---Yeah, so - - -

Or don't you know?---I don't - - -

Just answer my question. Did you or did you not receive such an email from Mr Tong?---I have received such an email from Mr Tong.

Well, what did it say?---He just want to like - - -

What did it say? Tell me.---Yeah.

10 What words did he use in the email?---The email, he - - -

What did he say?---I don't remember exactly but just say something he want to, his meaning is like he want to see Ernest Wong and give, give a call to Ernest Wong.

Oh, so he did say that, did he, in the email, he said, "I want to see Mr or speak to Mr Wong," did he?---Yeah.

Oh, did he?---Yeah.

20 When did you remember that?---Just last time (not transcribable)

Well, perhaps Counsel Assisting might be able to help.

MR ROBERTSON: Can I assist you this way, Mr Wood.---Yeah.

Can we go to MFI 24, page 47. MFI 24, page 47.---Yeah.

30 While that's coming up, Mr Wood, are you saying you received an email that concerned Mr Ernest Wong and then you then moved promptly to organise a meeting between Mr Tong and Mr Wong at Parliament House? Is that what you're saying?---(No Audible Reply)

THE COMMISSIONER: Could you understand that question?---Okay, so - - -

Are you able to understand – no, just wait a minute, Madam interpreter. Madam interpreter - - -

40 THE WITNESS: Yeah, okay. So, yeah, so (not transcribable)

THE COMMISSIONER: No, no, stop, stop, stop.---Yeah, yeah.

You can understand English, can't you?---70 per cent, some.

Yes. Well, now listen to the question. If you'd put it again, please.

MR ROBERTSON: Mr Wood, do you say that you received an email from Mr Tong that referred to Mr Wong and then you promptly organised a

meeting between Mr Tong and Mr Wong in Parliament House? Is that what you're saying?---Um, yeah, is happen, but is happen like this but it's, but, but I don't know they are meeting in the Parliament House, so - - -

Let's be clear, let's be clear. Is it your evidence that you received an email from Mr Tong and that led you to organising a meeting between Mr Tong and Mr Wong in Parliament House? Is that your evidence?---(No Audible Reply)

10 Is that what you're saying?---Yeah, is happen but is, is happen but I need to explain, yeah.

Just listen to my question first. I want to be clear about what you're saying. ---Yeah.

You get an email from Mr Tong.---Yeah.

20 And you say, right, I want to help Mr Tong out and I make arrangements for a meeting between Mr Tong and Mr Ernest Wong. Is that right? Do I have that right or not?---Yes.

And can we go please, MFI 24, page 47. Is this the email that you're referring to, Mr Wood?---Yeah, thank you, yeah.

So this is the email that led you to set up a meeting with Mr Wong and Mr Tong in Parliament House, correct?---Yeah, it's happened, the meeting, the Parliament House, but - - -

30 Listen to my question.---Okay.

Is this the email that led you to set up a meeting between Mr Wong and Mr Tong in Parliament House?---Yeah, the meeting is, I, yeah, I organise for them, yeah.

Is this the email that led to you setting up a meeting between Mr Wong and Mr Tong in Parliament House?---Okay, just say yes.

40 Yes? This is the email that led you to set up a meeting between Mr Wong and Mr Tong in Parliament House, correct?---Yeah, it's happen.

No, I want to be very clear. Are you agreeing with me or not? Is this the email that led you to set up a meeting between Mr Wong and Mr Tong in Parliament House?---Yes. Okay.

Mr Wood, that meeting between Mr Wong and Mr Tong took place 16 months later in September of 2018, didn't it?---Yes.

So it took you 16 months to deal with this email of May 2017. Is that your serious evidence?---Yes.

That's just a lie, isn't it? That's just a lie. This email didn't lead you to set up a meeting 16 months later. You're not that slack.---So, but it's, it's true, yeah.

No, it was Mr Wong who wanted the meeting with Mr Tong, wasn't it?---I say no. Also, I don't know, yeah.

10

You and Mr Wong kept each other informed of the progress of the Electoral Commission's investigation and this Commission's investigation, do you agree?---No.

And you've put pressure on Mr Tong to stick to the story that he has told in the past, do you agree?---No.

20

After the Parliament House meeting, Mr Tong sent an email to Kenny Zhan containing a record of what occurred during the meeting with Mr Wong, do you agree?---Can you pardon the question, please?

After the meeting in Parliament House that you arranged between Mr Tong and Mr Wong, Mr Tong sent to Mr Kenny Zhan a note as to what happened in that meeting, do you agree?---So you mean Mr Tong sent a letter to - - -

We'll do it this way. Can we go to MFI 24, page 91. Do you see there, Mr Wood, an email from Mr Tong to Mr Zhan of 18 September, 2018? Do you see that on the screen?---Yes.

30

And if we just turn the page, do you see there, it says a record of the meeting in Parliament House? Do you see that there?---Yes.

And Mr Zhan showed you this record in about September of 2018, do you agree?---September?

September of 2018 Mr Zhan showed you the document that we can now see on the screen, do you agree?---He not give me to see this, yeah.

40

You are denying that Mr Zhan showed you the document that's on the screen, is that right?---Yeah, yeah. I don't see this.

Are you denying that Mr Zhan said to you in the Wu International Office, "Look at this email that I have been sent by Mr Tong. Have a look at it on my computer screen." Do you deny that that happened?---No, I, yeah, I don't have any memorise or recall, yeah.

Well, you don't have any recollection of such a thing occurring, is that that you're saying?---So, I dint see this, this letter, yeah.

When is the first time you saw the document that we've now got on the screen?---I think it's the first time to see this, yeah. So, so, yeah.

Do you say that the first time you've seen this document is today, is that what you're saying?---Yeah. So, yeah, I don't remember, yeah, I think just the first time to see this, yeah.

10 But you do know that it was Mr Wong who wanted the meeting with Mr Tong rather than the other way around, do you agree?---I don't know, I don't know, I don't know, I don't know the, the answer, I don't know.

You don't know the answer now? Your answer a little bit earlier was that it was your idea to set up the meeting.---Yeah.

You're now not sure?---Okay. So, yeah, so, so, yeah, because they are both agree so like, ask Mr Tong and he want to see Mr Wong and Mr Tong agree Mr Tong, yeah. So they both agree, yeah.

20 So it wasn't about the May 2017 email at all. That wasn't the reason for the meeting, it was because Mr Wong wanted to see Mr Tong and Mr Tong wanted to see Mr Wong, is that right?---So, yeah, I just, no. I, I think just the, about (not transcribable) I yeah, I make a point of it then, yeah.

It's still your evidence, is it, that you got an email in May of 2017 and then you decided to set up a meeting 16 months later in September of 2018, is that your serious evidence, is it?---Yeah. So the evidence that, yeah, because they, the, the last year, the, during Dr Liao pass away and then I feel this event is, is, is very, very seriously. Then I just, yeah - - -

30 THE COMMISSIONER: But your evidence is that the May 2017 email in fact was the thing that led to the meeting between Mr Tong and Mr Wong, is that right?---Yes.

You know that is complete and utter nonsense. That is complete and utter nonsense, isn't it?---This is my evidence.

It is, as has been put to you, a complete lie, isn't it?---I am not liar, I don't have the intention to lie.

40 You are prepared to give any evidence that will disguise the truth of your involvement in this matter, isn't that right?---No. I just tell what I know and tell what the evidence I have and that's it.

Well, I'm putting it to you your evidence in many respects gives the appearance that you are making it up as we go. What do you say?---I'm not lie, just give what I know, that's it.

Just on another matter, before we adjourn, you are aware, are you not, of the law about donations, that property developers are prohibited from making donations for electoral purposes, you know that?---Yes.

And you knew that back in 2015 and '16?---Yeah.

10 Right. And what do you say if it might be suggested that in this matter you agreed with Mr Wong that you would persuade Dr Liao and that you would persuade Steve Tong to put themselves forward and act as pretend donors, that is false donors, not real donors, in order to cover up donation moneys that were coming from some other source. What would you say if such a matter was suggested against you?---I don't know.

You don't know? Well, were you party to such an agreement with Mr Wong?---I don't, don't have the agreement, don't have the agreement.

What's your answer?---No, no, don't have the, I don't have the like you say, the agreement with Ernest Wong, don't have.

20 So what would you say if it was suggested that you and Mr Wong put together this plan that you would use Dr Liao and you would use Steve Tong to be pretend donors at the March 2015 Friends of Labor dinner, that they would act as pretend donors in order to cover up donations made, said to have been made at that dinner in March 2015? Are you saying no such agreement?---No. I say no. I don't have any agreement with Ernest Wong, whether or how he make organise the donation and (not transcribable) the donation, I don't know. So he, yeah, I don't know.

30 And what would you say if it was suggested that because you were a prohibited donor, being associated with property development, you and Mr Wong worked out a plan and the plan was this. That you would work on Dr Liao and you'd work on Mr Steve Tong, that is persuade them to be the pretend donors so that you wouldn't have to put your name on anything as a donor. What would you say?---No.

40 So it might be said that Wu International was very much involved in this plan, both planning to have pretend donors used and then, when the Electoral Commission came snooping around and asking questions, that Wu International took control of Steve Tong and had a letter written for him through the company's external accountant. What would you say?---Okay. Okay. If Steve Tong not donate, he's, he's not write the information to the accountant. He, he should stop. He should not, and why he, he provide the information and then he, finally, he not make the decision, donation, but he, but he do the signature and say someone gives his name. So, so, yeah, so I, I don't know. So it's, yeah, so because I am not organise this, this not my organise this, so - - -

We now know that the two Wu International employees that got caught up in this donation scheme – and I’m referring to Steve Tong and to Dr Liao – after the Electoral Commission commenced investigations became two very worried men about this donation plan. You know that now, don’t you?--- Sorry, can you (not transcribable)

You know that after the Electoral Commission commenced investigations Steve Tong became a very worried and angry man, didn’t he?---Ah hmm, yes.

10

Very stressed.---Ah hmm.

You can see it in his emails written to you.---Ah hmm.

Saying, “This has nothing to do with me.” Very angry, wasn’t he?---Ah hmm.

Very stressed, wasn’t he? You understand what I’m saying, don’t you? Madam Interpreter, he seems to be understanding and acknowledging my questions and answering them - - -

20

THE INTERPRETER: The trouble is when - - -

THE COMMISSIONER: No, just listen to me, please.

THE INTERPRETER: Yes.

THE COMMISSIONER: Your role is to be interpreter when the witness seeks your assistance. I made that clear from the outset, did I not?

30

THE INTERPRETER: Yes, you said - - -

THE COMMISSIONER: Could you please do that.

THE INTERPRETER: But he indicated, asked me, one minute he was okay, the other minute he pointed - - -

THE COMMISSIONER: Okay, well, you just wait until you get an indication, please, that your services are required.

40

THE INTERPRETER: Yes, okay.

THE COMMISSIONER: And just let this examination go on unless we need you. You understand your role?

THE INTERPRETER: Yes, thank you.

THE COMMISSIONER: Please comply with that.

THE INTERPRETER: Yes.

THE COMMISSIONER: Now, you know and I think you've acknowledged, that Mr Tong was a very worried and stressed man over this donation matter once the Electoral Commission started investigating, yes?  
---Ah hmm. Yes.

10 We know tragically that Dr Wong too became a highly stressed man and took his life.

MR ROBERTSON: Dr Liao. Dr Liao, sorry.

THE COMMISSIONER: Sorry, Dr Liao. Thank you. Became a highly stressed man and took his life.---Ah hmm. Ah hmm.

And he was the other one of the two Wu International employees who got caught up in this donation scheme, correct?---The scheme?

20 Yes?---The scheme.

Plan.---Yeah, yeah, plan

They both got caught up in this plan, didn't they?---Yes.

Of all the employees in Wu International, there were two who got caught up in it, one was Steve Tong and the other was Dr Liao, yes?---Yes

30 They became highly stressed, both of them, obviously, we now know, is that not so?---Ah hmm.

About their involvement in this scheme, this plan, yes? You know that, don't you?---(No audible reply)

You know that, don't you, that they both became very stressed individuals once the Electoral Commission started investigating this matter and indeed once this Commission commences investigation this matter. You know that, don't you? They were very worried.---Yeah.

40 Very angry.---Yeah. They very, very worried, yes.

And you were involved, it might be said, in the self-same plan over this donations matter. What do you say?---You say me also involved?

You.---Yeah, me.

You were involved in Mr Wong's plan.---No, I am not really, 100 per cent absolutely, I am not in the Mr Wong's, I am not in the Mr Wong, the plan, scheme, okay?

So it may be put to you, and this is giving you an opportunity to respond, that you were right in the centre of this plan so far as Wu International is concerned to help Mr Wong with his plan and you put pressure on Mr Steve Tong and Dr Liao to participate in the plan.---No.

10 Now you, it might be suggested, are responsible for having these two men put in a position and their lives were in effect turned upside down, that you had a role in this. What do you say?---(No audible reply)

You had a role in this plan, didn't you?---I had a role in here, involve this, yeah. Yeah, something I - - -

Of course you did.---Meat, like, the sandwich, yeah, so like, like, a, yeah, I can say like a Chinese culture and the, and the like, yeah, Chinese culture affect the, so is the, like, me, like a sandwich. So - - -

20

Well, I'm putting it to you that it may be put that both before the fundraising dinner in March 2015, you were part of Mr Wong's plan and then after the Electoral Commission commenced its investigations, you were part of the strategy to deal with the Electoral Commission by having letters drafted for Mr Tong and Dr Liao. What do you say if such a proposition were put. ---Okay. So, okay, so yeah, from now, yeah, yeah, so, yeah. Because, yeah, now, so, me, I feel me is just like a sandwich so, so - - -

30 You're laughing now. What's so funny?---I am, this is not laughing. This is like an emotion, emotion just have (not transcribable)

What are you saying by way of response to what I have put to you so that you can be heard of this proposition? What do want to say?---Yeah. \*I can't do anything.\* So yeah, I feel my, just like, like a sandwich, like a, yeah, you say Mr Wong, they do this to me and Mr Tong do this to me and Dr Liao do this to me. So, oh, I feel, yeah, so I just say I do, I, I try to do my best and then I should try the outcome for you.

40 Mr Wood, just in fairness to you so that you can understand the propositions I'm putting for your response, I'll put them separately. The first proposition is that it might be said that you were part of Mr Wong's plan right from the beginning and before the March Chinese Friends of Labor dinner in March 2015. What do you say about that? You played a role before the dinner in putting together Mr Wong's scheme or plan. Do you agree or not or dispute it or not?---Before, before the, before the, the, the, yeah, the function, the dinner, yeah, before the dinner um, I don't know, because that time I am in China so I don't know, yeah.

Is that all you want to say by way of response on that point, was there anything else you want to say on that?---(No Audible Reply)

THE INTERPRETER: Your Honour, would you repeat the question again? I translate word to word to him then he can respond.

THE WITNESS: Sorry about that.

10 THE COMMISSIONER: I'll put it again. In order that you might respond, I'm putting, I am putting, I am putting that it may be argued against you that you were involved in Mr Wong's plan before the March 2015 dinner in relation to this matter of donations.---Yeah, understand. No.

20 And it might be put, putting it for your response, that after the Electoral Commission commenced its investigations, you, on behalf of Wu International, then tried to take control of Mr Tong's responses to the Electoral Commission by arranging for letters, for a letter to be drafted or one of two letters to be drafted, and that you also sought to take control of Dr Liao's position by having a letter written to the Electoral Commission on his behalf as well, and that you and Wu International were involved in the Electoral Commission investigations in relation to the donations matter. What do you say?

THE INTERPRETER: I just check whether he understand or not.

THE WITNESS: Yeah, please, please, translate please, yeah.

30 THE INTERPRETER: And firstly he is about to answer the question then he turned around to me asking me to translate. Okay. I can translate.

THE WITNESS: Yep. I think just say after the thing, no, I, yeah, I not give any pressure to, to them.

THE COMMISSIONER: Yes.

MR ROBERTSON: Can I very briefly explore one matter?

THE COMMISSIONER: Yes.

40 MR ROBERTSON: Mr Wood, you described your situation a moment ago as being like being in a sandwich. Is that right?---Yes.

And part 1 of the pieces of bread in the sandwich was Mr Wong. Is that right?---Ah, yeah.

You referred to Mr Wong - - -?---Yeah, yeah, yeah.

- - - Dr Liao and Mr Tong, is that right?---Just (not transcribable) yeah, yeah.

And do we take it from that that in relation to this issue of donations you felt some pressure from Mr Ernest Wong?---No.

He was pressuring you to assist Mr Wong in what Mr Wong wanted to achieve, is that right?---No.

10 Do you agree that you cooperated with Mr Wong to try and encourage Mr Tong to not tell the truth to the Electoral Commission or this Commission?  
---No.

Do you agree that you put pressure on Mr Tong to stick to what he had said earlier to the Electoral Commission?---No.

Do you accept that you found out on the very day that you went and drove around to Mr Tong, to Mr Tong's house, that he'd received a summons to attend this Commission?---No, I don't, no.

20

And do you accept that at least one of the reasons you wanted to speak to Mr Tong was to talk about the summons that he had received that very same day?---Can you pardon the question?

Do you agree that one of the things that you wanted to discuss with Mr Tong when you drove to his house at night was the summons that he had received the same day that you drove to Mr Tong's house?---No.

You don't accept that?---Yeah.

30

You accept that you've also put pressure on your cousin Kenny Zhan as to what to tell to this Commission?---No.

Do you accept that you were sitting in this hearing room down the back when Mr Zhan was first giving evidence?---Yes.

And one of the reasons you were doing that was to encourage Mr Zhan as to the evidence that he might give to this Commission, do you agree? You were seeking – I'll put the question a bit differently.---Yeah.

40

The reason or at least one of the reasons you were present during the start of Mr Zhan's evidence was to give him encouragement as to what he should or shouldn't say to this Commission, do you agree?---No.

You also put pressure on Dr Liao in relation to this question of donations. Do you agree?---No.

You discouraged Dr Liao from telling the truth to the Electoral Commission or to this Commission, do you agree?---No.

And the reason that you did that is that you thought that if Dr Liao or Mr Tong or Mr Zhan told the truth, then that might implicate you, do you agree?---No.

10 That's the examination, Chief Commissioner, subject to one matter. I want to reflect overnight as to whether Mr Wood should have access to the compulsory examination transcripts. In a sense I've done a form of abbreviated examination during the course of the day because he's had significant opportunity to respond to substantial propositions, both in the public inquiry and the private inquiry, but I do want to reflect on what – as a matter of fairness to him – in circumstances where he has said that he adheres to what was said in private, whether in fairness to him he should have access to the transcript to decide whether he reflects on that particular matter.

20 THE COMMISSIONER: Yes. Well, I think he should have that opportunity of course. It may be desirable, unless there's additional material you want from this witness, that he nonetheless, and if he's not required, then he'll be released shortly after we start.

MR ROBERTSON: That may be a sensible course, with respect.

THE COMMISSIONER: Sorry?

MR ROBERTSON: That may be a sensible course, with respect.

30 THE COMMISSIONER: Yes. Now, what time are we resuming tomorrow?

MR ROBERTSON: 10.15 was the suggestion.

THE COMMISSIONER: 10.15. We'll go through till 12.45 and then we'll resume at about 2 o'clock and I'll sit until 4.15.

40 MR ROBERTSON: May it please the Commission. Can I respectfully suggest you inquire as to whether or not any application for cross-examination, or re-examination for that matter.

THE COMMISSIONER: Yes, I'll do that now, then. Counsel Assisting has raised the question as to whether there's any application to cross-examination Mr Wood. Any application being made by those present? Apparently not. Very well. Mr Wood, you need to return tomorrow. We're starting at 10.15 tomorrow morning. You're to be here by that time. It may be that you won't be required to stay for too much longer, but if you would

return in the morning, it would be for a start at 10.15. Do you understand?  
---Yep. Yep, thank you.

Yes, then I'll adjourn.

**THE WITNESS STOOD DOWN** **[4.31pm]**

10 **AT 4.31PM THE MATTER WAS ADJOURNED ACCORDINGLY**  
**[4.31pm]**