

AEROPUB00951
11/09/2019

AERO
pp 00951-00977

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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 WEDNESDAY 11 SEPTEMBER, 2019

AT 10.00AM

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, the only housekeeping from me this morning is to confirm that today I'll call Mr Alex Wood, followed by Mr Johnnie Lin, and I otherwise anticipate that the program of witnesses for this week will be as published. A further witness list for next week will be published over the next day or two. I call Alex Wood.

THE COMMISSIONER: Yes. Is Mr Wood there? Yes. Just take a seat there for a moment, Mr Wood. Thank you. And I'll swear the interpreter in.

10

<GARMAN (JOANNA) LUM, sworn

[10.13am]

THE COMMISSIONER: Thank you. Just state your name for the record, if you will.

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

20

THE COMMISSIONER: Thank you very much. Just take a seat, thanks.

MR ROBERTSON: And I think my friend, Ms Li, seeks authorisation to appear for the witness.

THE COMMISSIONER: Yes.

MS LI: Good morning, Commissioner. My name is Ms Li, L-i.

30 THE COMMISSIONER: Could you just use the microphone there, otherwise I can't hear you.

MS LI: Of course. Apologise. Good morning, Commissioner. My name is Ms Li, spelt L-i. I seek leave to assist Mr Wood today, please.

THE COMMISSIONER: Yes, I grant leave, Ms Li, thank you.

MS LI: And if I may, just before we continue, I also seek a declaration pursuant to section 38, please.

40

THE COMMISSIONER: And have you explained the provisions to your client?

MS LI: Yes, Commissioner.

THE COMMISSIONER: Thank you. Just take a seat, thank you, Ms Li. Does the witness take an affirmation or an oath?

THE WITNESS: *Oath, please.*

THE COMMISSIONER: Just stand, please.

THE COMMISSIONER: Thank you. Just take a seat. Yes, Mr Robertson.

MR ROBERTSON: I'm not sure whether you've dealt with the application for a declaration under section 38.

10 THE COMMISSIONER: Yes. Firstly, Mr Wood, Ms Li who appears on your behalf has indicated that you wish a declaration to be made under section 38 of the Independent Commission Against Corruption Act. Now, I understand that the provisions of section 38 have been explained to you, is that right?---*Yes.*

And notwithstanding a section 38 declaration, you understand that it is your duty to answer all questions truthfully, is that right?---*Yes.*

20 And you must produce any document or item that you are required to produce, you understand that?---*I understand.*

Whilst the effect of the declaration under section 38 is that the evidence you give here today cannot be used in the future against you in any other legal proceedings, there is one exception. The protection under section 38 does not prevent your evidence from being used against you in a prosecution for an offence under the Independent Commission Against Corruption Act, including an offence of giving false or misleading evidence. Do you understand that?---*I understand.*

30 And I note that for an offence of giving false or misleading evidence to this Commission, a term of imprisonment can be imposed for up to five years. You understand that?---*I understand, I know.*

40 Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by the witness, Mr Alex Wood, and all documents and things produced by him during the course of his evidence in this public inquiry are to be regarded as having been given or produced on objection. That being the case, there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THE WITNESS, MR ALEX WOOD, AND ALL DOCUMENTS AND THINGS PRODUCED BY HIM DURING THE COURSE OF HIS EVIDENCE IN THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION. THAT BEING THE CASE, THERE

IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

THE COMMISSIONER: Now, Mr Wood, you have used the surname Wu, W-u, in the past, have you not?---*Yes.*

10 And did you at some point change your surname from Wu to Wood?
---*Yes.*

Was there an official change of name by you making application for you to be now registered as Alex Wood or is this just something you have chosen to do?---*It was done according to the Australian regulations and, and it was done step by step as well.*

And when did you change your name from Wu to Wood?---*According to certificate and according to my recollection, it was done in 2013.*

20 Do you speak English?---*I don't speak very good English, my apologies. I try to improve my English but I am not doing very well. My apologies again.*

Do you have an understanding of the English language when spoken?
---*When, in terms of listening I can understand sometimes 50 per cent, sometimes 30 per cent of it, depending on the context.*

Yes. Mr Robertson.

30 MR ROBERTSON: Can we have Exhibit 157 on the screen, please. I'm just going to put a document up on the screen in front of you, Mr Wood. You referred a moment ago, in answer to one of the Chief Commissioner's questions, to a certificate regarding your change of name.---*Yeah, that's the one.*

And so is the document you can see on the screen the certificate that you were referring to in answer to the Chief Commissioner?---*Yep, that's the certificate.*

40 And is it consistent with your recollection that your official change of name was recorded in September 2013, as you can see on the document that's on the screen?---*Correct.*

And is your Chinese name the name that we can see about four tenths of the way down the page, near where it says, "Former name"?---*Correct, yes.*

You are a director and the majority shareholder of Wu International Investments Pty Ltd, is that correct?---*Yes.*

The other shareholder of that company is your father, Bobby Wu, correct?
---*No.*

Can we go please to Exhibit 158 and before we do that, is your father's name also Fei Peng Wu?---*Yes.*

10 But are you saying he is not a shareholder of Wu International Investments Pty Ltd, is that right?---*No, no, he is not.*

Can we have Exhibit 158 on the screen, please. Do you see, Mr Wood, a current and historical organisation extract for Wu International Investments Pty Ltd on the screen?---*Which page, which part on the page do you want me to look at?*

If you have a look towards the top of the page it refers to Wu International Investments Pty Ltd. Can you see that?---*Yes.*

20 And you are one of the directors of that company. Correct?---*Yes.*

And if you look a little further down under the heading Company Addresses, can you see Suite 2, 38B Albert Avenue, Chatswood, do you see that there?---*The address is correct.*

That is the current location of Wu International Investments Pty Ltd. Is that right?---*Correct.*

30 And Wu International Investments Pty Ltd used to work out of an office in 650 George Street in the City of Sydney. Is that right?---*Yes.*

If you have a look towards the bottom of the screen there's a reference to Level 5, 650 George Street. Do you see that?---*The bottom?*

At the bottom. Level 5, 650 George Street. Can you see that there?
---*That's the address of my solicitor.*

And who is your solicitor at that address?---*Gary Fong.*

40 And if we can turn the page, please, do you see near the heading of Directors there's two directors identified, one is you, Alex Wood, and one is Fei Fei Wu. Do you see that toward the middle of the page?---*Correct.*

Who is Fei Fei Wu?---*My little sister.*

Your younger sister. Is that right?---*Yes.*

If we then turn the page, and turn one further page, can you see the heading Share/Interest Holding towards the top of the page?---*Yes.*

And do you see there that the shareholders are Alex Wood and Fei Fei Wu?
---*Correct.*

And so is it right that the two shareholders of Wu International Investments Pty Ltd are you and your younger sister, is that right?---*Yes.*

10 But is it right to say that your father, Bobby Wu, still has some involvement in the running of Wu International Investments Pty Ltd?---*He hasn't participated or he wasn't involved but I would go to him for things that I don't know because he's my father.*

At least when he comes to Australia he gives you advice as to what should happen with Wu International Investments Pty Ltd. Correct?---*Because he is my father he cares about me, but we don't have a very good relationship. Often he criticises me about my work, he said I don't work hard enough and I don't do well enough and he would encourage me to work harder.*

20 Does your father live in Australia or does he live in the People's Republic of China?---*China.*

How often does he come to Australia?---*Sometimes he comes every half year, sometimes he comes after three months, sometimes he comes once in a year. I have no idea when he will come.*

When is the last time he came to Australia?---*To my recollection it was June 2018.*

30 Do you know when he is next due to come to Australia?---*I'm sorry, I actually don't know.*

Is your father involved in business in the People's Republic of China?---*He is a businessman. He definitely has some business there but I don't know what they are.*

Well, you must at least have some idea as to what business he is in, in China, do you agree?---*If he has some, it would relate to management.*

40 When you say management, what do you mean by that? Management of what?---*I only know that he has a management company but I don't know what he actually does.*

THE COMMISSIONER: Has your father been a successful businessman?
---*Well, it's hard, it's not up to me to define whether he is successful or not but I would say average.*

Has he been involved in property development?---*Maybe his management company has some involvement in there but I don't know the details.*

Has your father been involved in investment in real estate?---*Are you asking investment in China or - - -*

China and anywhere else.---*His management company might have but I don't know the details.*

10 Mr Wood, I find it very hard to believe that you don't have any idea of what business activities your father's been involved in over the recent years or any years.---*Like I said, we don't have a good relationship, we don't talk very much. Every time we talk he criticises me.*

I direct you, I direct you to tell the Commission what line of business has your father been involved in in China and/or in Australia.---*I really have no idea about the details of his investment in China. In terms of the businesses in Australia, he has ceased to be involved since long time ago.*

20 I'm not interested in the details of the line of business your father's been involved in, I am interested to know what area of investment or business activities your father has been involved in.---*To my recollection or knowledge I know he would, his management company was involved with investments in banks, financial companies, agricultural companies, chemical companies, water, power stations, but I don't know the details.*

MR ROBERTSON: What about property development companies?---*Do you mean in Australia or in China?*

30 Anywhere.---*There was no involvement in any Australian real estate development but the management company in China might have some sort of joint venture of such kind in China, but I don't know the details.*

Has your father or any business associated with your father made any financial contributions to Wu International Investments Pty Ltd?
---*Can you repeat your question?*

Has your father ever made a financial contribution to Wu International Investments Pty Ltd?---*No.*

40 Has any business or company associated with your father ever made a contribution, a financial contribution to Wu International Investments?
---*I believe not.*

Never at any stage in the past has he made any contribution himself or through a company to Wu International Investments Pty Ltd in Australia. Is that right?---*To my recollection he has lent me a loan personally.*

He's lent you a loan personally or has he lent money to Wu International Investments Pty Ltd?---*To my recollection he lent it to me as an individual, to myself.*

Does your father have any business activities in Australia?---*My understanding is he does not have any business activity in Australia.*

10 THE COMMISSIONER: Does he own any property in Australia in his own name or in the name of a company?---*To my knowledge he and, my mum and him has a property or properties and a company here, but he has given up his right to manage them long time, since long time ago. Manage and operate them a long time ago.*

MR ROBERTSON: When you say properties, what sort of properties do you mean?---*Shops that, that's rented.*

What about houses?---*Yes, as well. Like, a house.*

20 So he owns a house in Australia, is that right?---*Yeah. One house property with my mum jointly.*

Who lives in that house?---*At the moment, it's occupied by a relative.*

You mentioned a company if your father's in Australia, do I have that right?---*Yes.*

What is the name of that company?---*Owada. Owada.*

30 Would you be able to spell that for me, please?---*O-w-a-d-a.*

Is that the only company that your father has in Australia?---*He also has, he also has Tongda.*

Is that Tongda International Tobacco Pty Ltd?---*Yes.*

Do you have any role in Tongda International Tobacco Pty Ltd?---*No.*

Who is Yu Lan Cai, Y-u space L-a-n space C-a-i?---*That's my mum.*

40 What involvement does she have in Tongda International Tobacco, do you know?---*She is the director or one of the directors.*

Does she work in the Tongda International Tobacco business?---*No, this is her company and she runs the business. She runs the company, and when she's not around Mr Liao runs the company for her before.*

THE COMMISSIONER: What are the business activities of that company?---*Collecting rent of properties rented out.*

MR ROBERTSON: Does that company have anything to do with tobacco?
---*That I really don't know. I think I don't know.*

You referred a minute ago to Mr Liao. Is that a reference to Mr Leo Liao?
---*Yes.*

You know he has passed away?---*I do.*

10 Did he have any role before he passed away in Wu International
Investments Pty Ltd?---*Yes. He was the deputy general manager of my
company.*

And so you worked very closely with him when he was the deputy general
manager of your company. Is that correct?---*Yes. I regard him as a senior,
one of my seniors and my teacher.*

20 THE COMMISSIONER: Was his title Dr Liao or Mr Liao?---*We call him
Dr Liao.*

And is that because he held certain qualifications?---*To my knowledge
he's a doctor in minering, coal and minering.*

In?

THE INTERPRETER: Coal and minering.

THE COMMISSIONER: Coal and mining.

30 MR ROBERTSON: You described Dr Liao as your teacher. Does it follow
from that that Dr Liao was more involved in the day-to-day activities of the
business and he was helping and advising you in running Wu International
Investments?---*Firstly I would answer yes. Because of my poor English
level there are many things I can't understand. I can't read, for example, I
can't understand the contracts and therefore he look after the operation of
the business for me.*

40 So would it be fair to say that Dr Liao was in charge of the business on a
day-to-day basis but you were his ultimate boss. Is that right?---*Well, as a
boss, well, on one level at the company I am his supervisor but in actual fact
I see him as a teacher and a senior.*

And so on a day-to-day basis it was Dr Liao who was running Wu
International Investments when he was alive. Is that fair?---*Correct.*

You also said that Dr Liao worked within Tongda International Tobacco.
Did he play a similar role in that company of running that company on a

day-to-day basis?---*Yes, and this company is just a company to collect rent.*

THE COMMISSIONER: What is the correct pronunciation of his name, was it Dr Liao or Dr Leo or how do you pronounce it?---*His English name is Leo, his Chinese last name is Liao.*

10 MR ROBERTSON: What work does Wu – in fact I withdraw that. What role does your sister, Fei Fei Wu, have in Wu International?---*She’s a director of the company.*

What work does she do as director? Does she work in the office every day? ---*She sometimes came but she didn’t involve herself with the work because she was pregnant.*

20 But in the period from 2015 until today, has she played a role in the office in the business or has she just been a director and done nothing else in the business?---*She’s normally a director but as well sometimes I would have to get her to sign on contracts and I have to explain contract to her.*

But she’s not in the office most days. Is that right?---*No, and that’s because she was pregnant and she is pregnant as well and she has four children so because of that she was not involved.*

Do you work in the office of Wu International Investments most days? ---*Yes, definitely. Although I don’t have very high capability but I try my best to work there.*

30 What work does Wu International Investments do?---*After the development in Chatswood we moved on to do management and rent collection.*

So at some point in time, Wu International Investments was a property developer, correct?---*Well, in terms of the definition, in accordance with the Australia law, when we started we were mainly looking at developing a hospital and then we moved on to real estate development.*

40 And the hospital you’ve just referred to is Chatswood Private Hospital, is that right?---*There was a long story behind it, but when we first started we had wanted to develop a hospital for Western and Chinese herbal medicine but there were some changes since and, and we ended up working with the hospital now.*

But you agree that Wu International Investments was a property development company in 2015, correct?---*Yes, I do agree. In principle, yes.*

How many staff does Wu International Investments currently have?---*Wu International Company now currently have three staff. At the moment we have three but please allow some time and more opportunities, we will create more employment.*

Is Kenny Zhan one of those staff members?---*Yes, he is the secretary to the company.*

10 What are the names of the other two staff members?---*There was me and my little, my younger sister and someone working part-time. So sorry, I made a mistake, there should be four.*

The person working part-time, what is that person's name?---*Liang Haosian, H-a-o-s-i-a-n, L-i-a-n-g.*

And what is that person's role in Wu International?---*He is like a general helper, helping us with anything we need help with.*

20 Did Wu International have more or less staff in 2015?---*Do you mean in 2015 or '16?*

In 2015, did Wu International have more staff or less staff than it has now? ---*More than what we have now.*

Was one of those additional staff members Mr Steve Tong?---*Correct.*

And was he a project manager of Wu International Investments?---*Yes.*

30 And did he retire towards the middle of 2016?---*Yes, to my recollection that should be the case.*

At Wu International does each employee have their own computer or do they share computers?---*Each of them have their own computer.*

And that has been the case since at least 2015, correct?---*That's right, that has been the case.*

Are you a member of the Australian Labor Party?---*No.*

40 Have you ever been a member of the Australian Labor Party?---*Neither.*

Would you regard yourself as a supporter of the Australian Labor Party? ---*I don't think I am.*

Do you know what Country Labor is?---*No, idea.*

Have you ever donated to the Australian Labor Party or Country Labor?---*I don't remember whether or not I have or haven't but I don't believe I have.*

To your knowledge, has your father ever donated to the Australian Labor Party or Country Labor?---*I don't know about him but I don't think he has.*

Do you know who Ernest Wong is?---*I do.*

How do you know Ernest Wong?---*In, through a community function.*

10 Which community function are you referring to?---*There was a future generations forum and I knew him through that activity. We have known each other through many other activities as well and that's quite expectable.*

What other activities are you now referring to?---*Community organised activities.*

20 Only community activities, there's no other dealings you've had with Mr Ernest Wong?---*Basically, no.*

Have you ever worked for Ernest Wong?---*In terms of working for him, I'm not too clear about that.*

Why are you not too clear? You'd have to remember if you had worked for him before.---*I don't believe I have worked with him.*

Have you ever been to – I withdraw that.

30 THE COMMISSIONER: Have you ever worked in his office?---*In terms of working in his office, I can't be clear about that. Anyway, in terms of working, he has tried to cultivate me so I will become the leader of the younger community. I'm not sure whether that can be regarded as working with him.*

MR ROBERTSON: So are you saying you can't remember whether you worked with Mr Wong in his office. Is that what you're saying?---*Yes, but I'm saying I'm not sure whether that should be regarded as work or not.*

40 What work does Mr Wong do to your understanding?---*To my understanding his, his role was to interact with the community.*

What do you mean by that?---*By that I mean to promote the community, the Chinese community in Australia, to interact with him. This is how I see it.*

Is that the only role that Mr Wong has had that you know of in the time that you've known him?---*That's my understanding, my definition, yes.*

So the only job that Mr Wong has had that you know about is in community organisations. Is that what you're saying?---*To my understanding and definition, yes.*

Do you recall ever being in Mr Wong's office?---*Can I ask you to repeat your question?*

Do you remember ever being in Mr Ernest Wong's office?---*I think I have.*

10

Where was that office?---*In Parliament House.*

So at least when you were in the office with Mr Wong in Parliament House, you must have known him to be a government official or parliamentarian. Correct?---*Yes.*

And in Parliament House Mr Ernest Wong arranged a security pass for you so that you could access Parliament House. Correct?---*Yes.*

20

Why did Mr Wong organise a security pass for you for access to Parliament House?---*To my recollection, as I said, he wanted to cultivate me so I become the leader, the future leader of the Chinese community, especially the leader of the Asians, the Chinese community here.*

30

But why did you need access to Parliament House to do that?---*I can't recall why he got me to go there. I think he wanted me to help with some work, but actually I wasn't given any work to help him with, but he wanted to cultivate or train me as to become the leader of the Chinese community and he got me to view some of the New South Wales websites so I come to understand a bit more about the roles of the officials and which will help me like with understanding the Australian community to help my role as a future leader, and that's my understanding.*

THE COMMISSIONER: Do I understand that you would have used your pass to get into Parliament House frequently?---*I don't know how to answer that question, but to my recollection I went each week or each fortnight to his office and so he trained me up.*

40

So how often would you have used your parliament pass to enter, to obtain access?---*Often.*

How often?---*I, I, to, to my recollection, when I passed the security gate, I didn't need to use it but when I entered the office, I had to use the pass. To my recollection, during that period I have, I went there each week or each fortnight, but it has been so long ago and I can't recall clearly. My memory is bad, I'm sorry.*

MR ROBERTSON: When you went there to Parliament House each week or fortnight, other than reviewing websites, what did you do?---*Basically that was it, but also I needed him to help because I was trying to, to register an organisation by the name of Guangdong, Guangzhou – Australia Guangdong Mining Commerce Association and with that, I need his help to register me as the president.*

10 When you were going to Parliament House every week or fortnight, that happened in 2015, is that right?---*I don't, I, I can't recall clearly but I don't think it was 2015.*

Do you at least agree that you were in regular contact with Mr Ernest Wong in 2015?---*I think, I don't think we have regular contact. We very rarely contact each other at that time, yes.*

You at least knew who Mr Ernest Wong was in 2015, correct?---*Correct.*

20 So you might not have started to go into Parliament House on a weekly or fortnightly basis but you still knew each other. Correct?---*I beg your pardon?*

As at 2015 you knew Mr Ernest Wong. Correct?---*Yes.*

Would you regard Mr Ernest Wong as a friend?---*Yes, as a friend in the community.*

30 But also as a personal friend. Correct?---*I can't say whether or not we are a personal friend but I see him and regard him as a senior. As part of the Chinese culture we see anyone who's older than ourselves as a senior and we give them due respect.*

Mr Wood, it's more than that with Mr Wong. You would regard him as a personal friend. Correct?---*Our definition, my definition is that we are friend in the community.*

But not a personal friend. Is that what you're saying?---*That's right, and that's because his a government official and we can't be a friend with a government official.*

40 So you knew that Mr Wong was a government official. Is that what you're saying now?---*Yes.*

So it wasn't just that he was someone involved in community organisations, you've known for some time that Mr Wong was a government official. Correct?---*Yes.*

And you knew that he was a government official since at least 2015. Correct?---*Correct.*

In 2015 what job did you think that Mr Wong had as a government official?
---*I haven't paid attention really as to what specific role he held but I knew him as a government official.*

In 2015 you knew that Mr Ernest Wong was a member of parliament.
Correct?---*I, I can't recall clearly. To me he is a government official because he worked there and that's my definition. As to, like, whatever, what exactly, which role he held exactly, I do not know and I have no
10 interest in politics.*

Are you seriously saying that you didn't know that Ernest Wong is a member of parliament, is that your honest evidence?---*I'm saying in terms of 2015, I do not know what role he held in the parliament or what, whether or not he was a member. I, I just didn't care at that time.*

In 2015, you knew that Mr Ernest Wong was a member of the Burwood Council, correct?---*Yes, to my recollection.*

20 And you invited him to inspect one of your projects, correct?---*Sorry, I really don't recall.*

You would at least agree, wouldn't you, that you were in regular contact with Mr Wong in 2015, correct?---*I think it was rare. To my recollection it was.*

In 2015 you at least knew who Ernest Wong was and you knew he was a government official, correct?---*Yes.*

30 Mr Wood, I want you to consider your answer to this question very carefully before you answer it. Do you agree that in March of 2015 Mr Ernest Wong made contact with you and asked you to arrange for two people to sign forms that falsely stated that they had made a contribution of \$5,000 to the Australian Labor Party or to Country Labor?---*I disagree.*

Is that your honest evidence on the oath that you took on the bible this morning?---*My recollection wasn't clear and I was not aware of it.*

40 Well, I want to be very clear about this, Mr Wood. Do you disagree that in March of 2015 Mr Wong made contact with you and asked you to arrange for two people in your company to sign forms that falsely stated that they had each made a contribution of \$5,000 to the Australian Labor Party or Country Labor? Do you agree with that or do you disagree with that?---*I really do not recall and I believe that hasn't happened.*

Well, if you say you don't recall, are you saying that it's possible that that had happened, it's possible that Mr Wong had made that request of you?
---*To my recollection he has not requested me to do such an act.*

On 30 March, 2015, Mr Wong made contact with you and asked you to arrange for some people to sign some forms. Do you agree?---*I don't recall this having happened. I don't think it has happened.*

THE COMMISSIONER: Mr Wood, you remember at the very outset today I told you that you have an obligation to answer all questions truthfully? You remember that, don't you?---*I do recall.*

10 And you know the absolute importance of answering questions in this Commission truthfully, don't you?---*Yes, I understand.*

And you will recall me stating earlier today that for an offence of giving false or misleading evidence a witness can be liable to imprisonment for an offence under the Independent Commission Against Corruption Act for up to five years. You remember me saying that?---*Understand, I know.*

20 And I'm now giving you an opportunity to consider very, very carefully the question that was asked by Counsel Assisting a moment ago. When the question is repeated you will note that Counsel Assisting is mentioning a particular date upon which Mr Wong made contact with you and you may assume that Counsel Assisting has certain information about this matter. So I'm going to ask Counsel Assisting to put the question again to you in order to give you a fair opportunity to give a truthful answer to the question. You understand?---(No Audible Reply)

Yes, put the question again.

30 MR ROBERTSON: Mr Wood, do you agree that in March 2015, Mr Ernest Wong made contact with you and asked you to arrange for two people within your company to sign forms that stated that they had made a contribution of \$5,000 to the Australian Labor Party or Country Labor, do you agree?---*I really cannot recall clearly my recollection. I don't think this has happened so I, my answer is I disagree.*

Can we go to Exhibit 189, please. Mr Wood, on the screen is an email that Mr Ernest Wong sent to Dr Liao. Do you see that there? Did you see that there, Mr Wong? Mr Wood, I'm sorry.---*I see it, yes.*

40 And can you see that Mr Ernest Wong says to Dr Liao, "Please fill two of these in"? Can you see that there, Mr Wood?---*I do.*

And I'll turn the page and you can now see the attachment to Mr Ernest Wong's email of 30 March.

THE INTERPRETER: 13 March?

MR ROBERTSON: 30 March, I'm sorry.

THE WITNESS: *I can see it, yeah.*

MR ROBERTSON: And can we turn back to the previous page please, operator. Mr Wong told you that he was going to send an email like this to Dr Liao, correct?---*My recollection wasn't clear but I don't believe he has asked me to do so. I really don't recall.*

10 On 30 March, 2015, you knew that Ernest Wong was going to send some forms to Dr Liao to fill in, correct?---*Sorry, did you say 30 May or March?*

I'll put the question again. On 30 March, 2015, you knew that Mr Ernest Wong was going to send some forms to Dr Liao to fill in, correct?---*To my recollection, my recollection is this hasn't happened and so I really can't remember clearly. I do not know about this, I have not seen this mail before.*

20 Ernest Wong told you by text message that he was going to send an email like the one we can see on the screen, correct?---*I really can't recall clearly. I really don't recall. It's been too long. I can't recall.*

Well, let me help you this way. Can we have the call charge records document on the screen, please. And, Mr Wood, what I'm going to show you is some records that have been taken from Mr Wong's phone and from your phone about call and text messages between those phones. Mr Wood, let me explain the document that is on the screen to you. This document identifies when a telephone call or text message was sent between Mr Wong's phone and your phone. The first two columns identify the date and
30 time of the call or message. The next two columns identify the person sending the message or making the telephone call. And the next two columns identify the recipient telephone of the telephone call or text message. The next column, called Duration, identifies the length of the call or states SMS when it is a short message service message. Now, can I first just remind you that the email that I showed you a moment ago appeared to be sent on 30 March, 2015 at 14.40 hours, so 2.40pm. And I suggest to you that just before Mr Wong sent that email to Dr Liao, he sent you text messages to tell you that that email was coming. Do you agree?---*If it shows it now, then yes, but I truly do not recall now, it's too long ago.*

40

THE COMMISSIONER: Yes. Well, your memory's now being refreshed by it being taken to the records which show that you and Mr Wong were communicating with each other on a number of occasions on the date shown, 30 March, 2015. The information on the screen now does refresh your memory of these communications, doesn't it?---*Yeah. There might be a record there but my recollection, I really don't recall what was said or whether he has, whether or not he has sent me something.*

But you now know that on 30 March, 2015, he told you that he was going to send something, which of course he did send to Dr Liao.---*I really do not recall what he has said or what he has sent to me. I really do not recall.*

When did you last talk to Mr Wong?---*Last time was, it should have been sometime in the end of June 2019, where we participated in a community function in China but I just merely said hello.*

10 I'm proposing to take a morning tea adjournment at some stage. Do you wish to continue for - - -

MR ROBERTSON: That would be a convenient time, subject to one question.

THE COMMISSIONER: Yes, certainly.

MR ROBERTSON: Mr Wood, we're about to adjourn briefly for a morning break, but over the morning break I want you to consider very carefully the answers that you have given to me regarding whether Mr Wong had made
20 contact with you regarding signing forms, and when we resume I am going to ask you whether, having looked at the documents that I have shown you today, you now recall that Mr Wong in fact asked you to arrange for some forms to be filled out. Do you understand?---*Understand.*

THE COMMISSIONER: Well, Mr Wood, you've now been put on notice as to what you're going to be asked about when we resume after the morning tea adjournment. Now, I want to warn you that if there is evidence that you are not cooperating with this Commission, you will be in serious trouble. Do you understand what I'm saying?---(not transcribable)

30 Yes, I'll adjourn.

SHORT ADJOURNMENT

[11.48am]

MR ROBERTSON: I'm sorry, Chief Commissioner, would you be prepared to adjourn for a further five minutes or so? Just an issue has arisen
40 and a further five minutes would be appropriate, if that's not to inconvenient.

THE COMMISSIONER: Yes, very well. I'll adjourn.

SHORT ADJOURNMENT

[12.22pm]

MR ROBERTSON: Thank you for that indulgence, Chief Commissioner. Can I just indicate that given that this morning has gone somewhat slower than I had hoped, I doubt that I'll get to Mr Lin today, so there will be some amendments made to the timetable accordingly. I suspect what I'll do is call Mr Valentine Yee tomorrow morning and then when we finish with him, proceed to Mr Lin and then May Ho Yee at a later date.

THE COMMISSIONER: That's fine.

10 MR ROBERTSON: But I'll ask the Commission staff to contact the persons affected by that to deal with that matter.

THE COMMISSIONER: Yes, thank you, Mr Robertson.

MR ROBERTSON: Now, Mr Wood, you've now had an opportunity during that adjournment to consider the question that I asked you before the adjournment, namely whether you agreed that in March 2015 Mr Ernest Wong made contact with you and asked you to arrange for people to fill out some forms. Having given that consideration and considering the document
20 on the screen, do you still dispute the proposition that Mr Wong made contact with you in March 2015 and asked you to arrange for forms to be filled out?---*I have tried my best to recall what happened at that time. I really cannot recall too many things about it. If there had been such conversation I would have told him to send it to Mr Liao because I had not attended the activity, I did not know what happened. Whether it happened on 12 March, I actually returned from overseas myself on 15 March so I didn't know the details about what had happened. I cannot recall what he had told me and I do not know who has made any donation or why anyone has to sign anything.*

30

Can we go back to exhibit – I'm sorry, you can finish your answer. ---*During the time of the activity of the function I was actually overseas myself so I didn't know what happened, who had to donate what money for what reason and who had to sign what. I really didn't know. If there had been, if this has been the case it was handled by Dr Liao. I have also, also I have checked that Wu International has not made any donation in this other name, neither have I made any donation in my own name. So I understand have no idea about the donations at all?*

40 THE COMMISSIONER: Mr Wood, the last few questions that were put to you by Counsel Assisting before the morning tea adjournment were not focussed on 12 March but were focussed on 30 March, by which time you were back from overseas. Perhaps you could translate that. It is clear that on 30 March you and Mr Wong were in communication with each other, as you saw on the screen. On 30 March, there were four SMSs, text messages, sent by Mr Wong to you. Do you recall that? Just pause there, let – the interpreter won't be able to keep up with you if you keep going. Yeah, Madame Interpreter.---*I, I haven't checked, like, the phone. I, I didn't go

back to see what was the communication there. I, my phone was broken as well, so I don't, and I can't recall what was said at that time. So if I have been requested to do so, that is to get two person to sign on the form, I, I, just don't know about the matter. And if, because I didn't know about the matter, I just, I asked, I asked them to contact, I ask him to contact Dr Liao because I just wasn't involved and therefore Dr Liao would be the person to deal with him.*

10 Can you explain this, of all the people in the world, it happened to be Mr Wong who was communicating with you on 30 March. Why was he communicating with you on that date?---*I, I really don't recall. I cannot remember clearly. If he had asked me to sign the two names, well I didn't attend the activity, why me? I really don't understand either.*

Mr Wong didn't send text messages to you every day, did he?---*No.*

20 It would be unusual for him to send text messages to you, would it?---*Yes, that would be unusual, but it is possible that he would send me texts to invite me to attend certain community activities. If he had, I really can't recall what happened, what was said, if he had asked me to sign anything I must reiterate that I haven't personally attended in that activity, I haven't personally donated any money. I didn't, I wasn't aware of what happened and therefore according to my personal practice, my customary practice, I would refer him to Dr Liao and get Dr Liao to deal with it.*

MR ROBERTSON: Chief Commissioner, I tender the document on the screen, being call charge records for the period 25 March, 2015 to 20 April, 2015 between Mr Wong and Mr Wood.

30 THE COMMISSIONER: Yes. The CCR records period 25 March, '15 to 20 April, '15 will become Exhibit 238.

#EXH-238 – CALL CHARGE RECORDS BETWEEN ERNEST WONG AND ALEX WOOD DURING THE PERIOD 25 MARCH 2015 TO 20 APRIL 2015

40 MR ROBERTSON: Mr Wood, did you say a moment ago that you did not attend the Chinese Friends of Labor NSW Labor Chinese Launch event on 12 March, 2015?---*Sure. I did not attend.*

Were you invited to attend the event?---*To my recollection I was not invited. I am generally uninterested in events like this.*

Are you sure that you were not invited to the event?---*To my recollection, no, I have not seen any invitation letter, but whether or not they have sent it to me, I don't know, but I just haven't attended myself, no.*

Listen carefully to the questions I'm asking you. Are you saying that you are sure that you were not invited to the event? Can you answer that question, please?---*To my recollection I believe I was not invited to the event.*

10 You believe you were not invited but it's possible that you were invited. Is that your evidence?---*Though, it is possible though that they have invited me but I personally have not seen the invitation letter and also I was overseas as well. So that's my recollection.*

So are you saying you are sure that you have not seen an invitation letter, is that your evidence?---*To my, to my recollection, I have not received any invitation letter. That's my recollection, thank you.*

20 Mr Wood, I want you to listen very carefully to my questions because I am asking them in a deliberately precise way, and when you answer my questions, I want you to answer the question I am asking and not give a further explanation unless I ask for it. Do you understand?---*I understand.*

Are you sure that you were not given an invitation form for the Chinese Friends of Labor event on 12 March, 2015?---*No, I have not received any invitation letter.*

You are sure about that?---*I am, I am sure, to the best of my recollection and I just wasn't able to attend and I didn't want to attend either.*

30 Can we have the email of 17 February, 3.42pm from Mr Wong to Mr Wu and others on the screen, please. Mr Wong [sic], do you see an email of 17 February, 2015, to a series of people including, if you look at the second line of the "To:" field, Alex Wu? Do you see that there, Mr Wood?

THE COMMISSIONER: Do you see it or don't you? What were you looking at? What did you just put in your pocket?---*17 February - - -*

What did you put in your pocket? What have you got there?---*It's a record of - - -*

40 Mr Wu, what are you holding in your hand and just put back in your pocket, what is it?---*This is the record of my overseas travel.*

Yes. Would you just take that document out of your pocket and would you hand it to my associate, please. Yes. I'll have that marked for identification. MFI 13.

**#MFI-013 – HANDWRITTEN NOTE PRODUCED BY ALEX WOOD
REGARDING FLIGHT DETAILS TO AND FROM CHINA**

MR ROBERTSON: Mr Wood, the only thing I am asking you at the moment is to confirm that you can see on the screen the words, “Alex Wu”? Can you see that or not?---*I do see Alex Wu there, I do see Alex Wu there but at that time I was overseas so I haven’t seen this email.*

10 Mr Wood, did you understand what I said to you before, namely listen to my questions and answer the questions only. Do you understand that?
---*Understand.*

Now, I’ll try again. Do you see the words, “Alex Wu,” on the screen?
---*Yes.*

As well as being known as Alex Wood, you are known as Alex Wu.
Correct?---*Correct.*

20 Can we turn two pages in this document, please. Mr Wood, would you agree that in Chinese characters on the screen is a message from Mr Wong inviting the recipients of the email to attend the Chinese Friends of Labor dinner?---*Can you repeat the question?*

Do you agree that you can see on the screen in Chinese characters a message from Mr Wong inviting people to attend an event?---(Speaks Mandarin)

30 THE COMMISSIONER: No, no, listen, do you agree or don’t you?
---*Agree, yes, this one, yes.*

MR ROBERTSON: And can we turn the page again, please. Mr Wood, do you see there an invitation to the NSW Labor Chinese Launch of 12 March, 2015?---*Yep, that’s the one.*

Having seen those documents do you now agree that you were invited to the Chinese Friends of Labor NSW Labor Chinese Launch on 12 March, 2015?
---(Speaks Mandarin)

40 THE COMMISSIONER: No, just stop there, do you agree or not?---Yeah, I agree. *Agree.*

MR ROBERTSON: I tender the email on the screen, namely an email from Mr Ernest Wong to Mr Alex Wu and others of 17 February, 2015, 3.42pm.

THE COMMISSIONER: Yes. That will be admitted and will become Exhibit 239.

**#EXH-239 – EMAIL FROM ERNEST WONG TO ALEX WOOD
(WU) AND ORS - 17 FEB 2015 AT 3:42PM - RE INVITATION TO
CHINESE FRIENDS OF LABOR DINNER ON 12 MARCH 2015**

MR ROBERTSON: Now, Mr Wood, you say that although you received an invitation for that event, you did not attend the event. Is that correct?

---*Yes, yes.*

10

Can we go please to Exhibit 152. And just before that comes up, Mr Wood, to your knowledge did either Mr Steve Tong or Dr Liao make any contributions or donations to the Australian Labor Party or Country Labor Party in connection with the Chinese Friends of Labor event of 2015 that we saw on the screen?---*I do not know because I haven't seen them making donation. That's a matter for them so I don't know.*

20

Have you ever discussed the question of whether Mr Steve Tong had made a donation to the Australian Labor Party or Country Labor in relation to the Chinese Friends of Labor event in 2015?---*Can I ask when, what sort of time frame are you thinking of in terms of the discussion?*

Ever.---*To my recollection Mr Tong has, Mr Tong has discussed with me.*

When?---*According to my record, he had a discussion with me in 2017, he did.*

30

Did you say according to your record?---*Yes. Because he sent me an email.*

THE COMMISSIONER: According to your record? What record of yours are you referring to?---*Can you please ask again?*

You said a moment ago, "According to my record," in relation to the conversation with Mr Tong. What record were you there referring to?---*So his record was that he has not made the donation and that someone had fraudulently used his name to make the donation.*

40

MR ROBERTSON: Was that the only time that Mr Tong raised with you the question of whether there had been fraud in connection with donations?---*He raised that in 2016 with Dr Liao and Dr Liao came to me, but I didn't know what had happened so Mr Liao handled it with him and I don't know anything else.*

When Dr Liao raised that matter with you in 2016, what did Dr Liao say to you?---*To my recollection Dr Liao asked who signed this and there was also a receipt from Labor Party too, so who donated this money.*

So to be clear, Dr Liao in 2016 raised with you the question of who had donated the money that was said to have been donated by Mr Steve Tong. Do I have that right?---*Can I have the question once more, thank you.*

I'm trying to understand what Dr Liao said to you in 2016 about the issues raised by Mr Tong. Did Mr Tong – I withdraw that. Did Dr Liao tell you in 2016 that Mr Tong thought that his name had been fraudulently used for a donation?---*Can you please repeat the question.*

10 Did Dr Liao tell you in 2016 that Mr Tong thought that his name had been fraudulently used for a donation?---*To my recollection all Dr Liao asked me who signed this name, why was there an invoice from Labor Party and who donated this money. That's what he said.*

And what was your response to Dr Liao's inquiries?---*My response, to my recollection, was that's the evidence and I don't know how to deal with it.*

20 In 2016, you knew that either you or your father had used Mr Steve Tong's name for a donation, correct?---*I – can you please repeat the question, thank you?*

In 2015, you knew that Steve Tong's name had been fraudulently used for a donation, correct?---*To you, I really do not know.*

I want to be clear about your response to that question. Do you deny that in 2015 you knew that Steve Tong's name had been fraudulently used for a donation?---*Yes, I deny it, I didn't know about it.*

30 You at least now know that Steve Tong's name was fraudulently used for a donation, do you agree?---*I can't be sure, a hundred per cent sure because I didn't see who made the donation, where the money come from. I didn't see that for myself. I have doubts myself too, so I am, I am not a hundred per cent sure.*

You say you have doubts, why do you have doubts?---*Because in the, the ICAC is investigating and therefore, I just have doubts as a result. But I didn't, I didn't see it myself, I have never heard about it but this, the name was on the evidence.*

40 You at least accept that Mr Tong told you that his name had been fraudulently used for a donation, correct?---*He did say that, but my company, Wu International, have not used, have not made any donation. I myself have not made any donation either. If there is any problem, Steve Tong will know why he had signed for it, he himself would know.*

When Steve Tong told you that his name had been fraudulently used for a donation, you told him not to tell anyone. Do you agree?---*To my recollection I have not said words, such words.*

You at least said words to that effect, didn't you?---*No. I disagree.*

You told him that if any problem arose in relation to the matter of donations, the company, Wu International, would sort it out. Do you agree?---*I disagree. I did say when he asked me I was, I was puzzled, why was there donation, who signed the name.*

10 THE INTERPRETER: I need him to repeat the answer, if I may.

THE COMMISSIONER: Well - - -

THE INTERPRETER: Oh, hang on.

THE WITNESS: *I said to him, "Wu International has not made any donation. I have personally have not made any donations either. If there is any problem I will deal with it privately and separately as well. I will assist him because I have known him for 16 years long."*

20 THE COMMISSIONER: So when you heard this from Mr Tong you indicated to him that you were prepared to have the company assist him in some way. Is that what you're saying?---*You can be mistaken with my answer. What I said to him was I will separate the private business with the company business and I will assist him.*

MR ROBERTSON: Mr Wood, you are lying to this Commission because you knew that Mr Tong's name had been fraudulently used for donations. Do you agree?---*To my recollection, I have not seen with my own eyes what had happened, who donated the money, when was the money donated, who signed on it. I have not seen with my own eyes so I have doubts about that towards the letter, but it was a personal letter from him and that's my recollection.*

30 But do you at least agree that you told Mr Tong not to tell anyone about his concerns that he had fraudulently, his name had fraudulently been used for a donation? Do you at least agree with that?---*I do not recall having said words, such words. I really don't recall. Because he had heart problem, every time when I talk to him, I remind him to look after himself, his health.*

40 But do you deny that you said words to the effect of, "Don't tell anyone, the company will sort it out"?---(Speaks Mandarin)

I'm sorry, Mr Wood, I'm going to interrupt you there. Let me explain again. I'm going to be asking you some questions and I want you to answer the questions and only the questions. Do you understand?---Yep.

If you do not understand the question that I am asking, please ask and I will rephrase it or explain it. I am now going to put the question again. Do you deny that you told Mr Steve Tong that he shouldn't tell anyone that his name had been fraudulently used for a donation and that instead the company, Wu International, would sort it out? Do you deny that or not?
---*I deny such words.*

10 THE COMMISSIONER: Why did you take so long to answer that question?---*Because I am trying to recall if I have said such words in our conversation.*

I see the time.

MR ROBERTSON: Is that a convenient time?

THE COMMISSIONER: Yes. We're going to adjourn for lunch period. We'll resume at 2.30. You must be back here at 2.30. Thank you Mr Wood. I'll adjourn.

20

LUNCHEON ADJOURNMENT

[1.20pm]