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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 DECEMBER, 2019

AT 10.15AM

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

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

MR ROBERTSON: Chief Commissioner, can I first deal with the proposed program for today. I don't propose to ask any further questions of Mr Wood. I do however propose to tender his two compulsory examination transcripts for 8 November, 2019, and 11 November, 2019. A copy of those transcripts have been provided to his solicitor overnight but I do propose to tender those tomorrow morning rather than today in case anything arises from those transcripts that leads to any submission being made by Ms Li on behalf of Mr Wood. And I should also indicate that whilst I'm aware of no applications or proposed applications to cross-examine Mr Wood, of course  
10 if tendering the transcript leads anyone to come to a different view in relation to that matter, they should let me know as soon as they can.

THE COMMISSIONER: Yes, all right.

MR ROBERTSON: And whilst I'm told by Ms Li that she wants to ask a few questions by way of re-examination of Mr Wood and that might be conveniently done now if that's convenient to the Commission.

THE COMMISSIONER: Thank you.  
20

MR ROBERTSON: In terms of the program going forwards, I will call Mr Ernest Wong after we finish with Mr Wood and some formal tenders. I doubt that I'll be finished with Mr Wong today. It's possible that I will be but I doubt it. I also anticipate that there may be one or more application for leave to cross-examine but we'll need to wait and see with respect to that. At least as matters presently stand, I anticipate finishing the evidence for the public inquiry during the course of tomorrow. Friday has been reserved in case, and as I understand it the Commission proposes not to sit before  
30 11.00am tomorrow, and also as I understand it the Commission proposes to adjourn for lunch today at 12.45pm.

THE COMMISSIONER: Yes, that is correct. Yes, thank you Mr Robertson. I'll just confirm that there is no application for the cross-examination of Mr Wood. Unless anybody now indicates that there is an application to cross-examine Mr Wood then I'll take it that nobody does want to cross-examine him. Ms Li, just in relation to your client, do you wish to ask him any questions?

MS LI: Yes, Commissioner, I would.  
40

THE COMMISSIONER: Yes. Very well. Just before we do that, you've heard the proposal that in relation to the compulsory examination transcripts that Mr Robertson's referred to, he proposes to tender those tomorrow but copies will be given to you today. If there's no issues or matters that you want to raise before those transcripts are tendered in evidence tomorrow morning, you might indicate that to counsel or Commission officers later today or by later today.

MS LI: I understand.

THE COMMISSIONER: And if you have no matters that you want to raise, then Counsel Assisting will go ahead and tender those transcripts tomorrow morning, probably after we resume at 11 o'clock. And if you don't wish to raise any matters, there won't be any need for you attend tomorrow, nor Mr Wood to attend tomorrow.

MS LI: Understood.

10

THE COMMISSIONER: Do you understand?

MS LI: Yes.

THE COMMISSIONER: All right. But you want to ask some questions now.

MS LI: Yes, Commissioner.

20

THE COMMISSIONER: You proceed.

MR ROBERTSON: I'm sorry, Chief Commissioner, there's a new interpreter today. Whether or not you wish to have her sworn on the record.

THE COMMISSIONER: Yes. Thank you. Would you mind just putting on the record your name?

MS LUM: Gar Man Lum, G-a-r M-a-n L-u-m. (not transcribable) 3-6-3-0-8. Mandarin interpreter.

30

THE COMMISSIONER: Thank you. I'll just have you sworn in then, thank you. Do you take an oath or an affirmation?

MS LUM: Affirmation.

THE COMMISSIONER: Thank you.

**<GAR MAN LUM, affirmed**

**[10.28am]**

40

THE COMMISSIONER: Madam Interpreter, I'll just explain. Yesterday we proceeded in part at least on the basis that questions will be put and not translated unless Mr Wood indicated he needed the interpreter's assistance and likewise he gave answers in English on many occasions to questions put to him. We'll proceed on the same basis today, that is to say that unless Mr Wood indicates he need your assistance to interpret questions or to give answers, we'll proceed in English so far as we're able to, all right?

THE INTERPRETER: Yes, Your Honour.

THE COMMISSIONER: Thank you. Yes, Ms Li.

MR ROBERTSON: Sorry, Chief Commissioner. Do you want to re-swear or affirm the witness?

THE COMMISSIONER: Yes. I will have him re-affirmed.

10

MR ROBERTSON: I apologise for intervening.

THE COMMISSIONER: Thank you. Would you mind just standing.  
Thank you.

THE COMMISSIONER: Yes, Ms Li.

MS LI: Thank you. Mr Wood, if I can take you back to the night when you visited Mr Tong, and you went for a drive in his car. Now, on 11 November you indicated as to what was the purpose of your visit and what was discussed at the time. One of those things you said was, well, two of those things you related to was to talk about his health, but the second one was  
10 about the ICAC matter and Mr Liao's passing. What did you mean by that?  
---Yep. I mean by that is yeah, Steve Tong asked me why Dr Liao dead, then I just explain the reason to him, yeah, like, yeah, like there's two detectives, yeah, and then they have the, yeah, the letter of the ICAC on the desk, so I just explain to them, yeah.

So would you agree that what you meant by discussing with Mr Tong the cause of Dr Liao's death - - -

20 MR ROBERTSON: I object. I object to it being put in a leading form which I think is (not transcribable)

THE COMMISSIONER: Yes. I think it's better to approach it in this way. The answer he just gave, I understood the essence of it but I don't think his answer was as clear as it might be, so perhaps if you could approach that matter by asking him if he could clarify, rather than suggesting to him what he was meaning.

MS LI: Understood. So, Mr Wood, would, what do you mean by the two  
30 detectives and how it related to Dr Liao's death?---Yeah, because Dr Liao, he, when he was pass away he had the letter, the, make a suicide letter on the desk, so yeah, so yeah, just, I just explain to Mr Tong.

Was, how was, what type of person was Dr Liao to you?---Yeah, he is my, like he's, he's my employee, also he's my mentor, so yeah, because Dr Liao, he pass away and then I don't have like a direction how to manage the company, yeah, so that's why, yeah, I go, yeah, I just, to see the, yeah, Mr Tong and ask to number one to see his health, second ask his advice and then him, and then just say Dr Liao is pass away and then he ask me why  
40 and then I just explain to them and explain to him, yeah.

And why did you have the conversation in the car?---Because he ask me. Why?

Yes. Why not inside his house?---Yeah, because, yeah, we make appointment and then go to his house but he say his wife is sleep, so that's why he says better to check in the car, yeah.

Thank you.

THE COMMISSIONER: Yes, thank you.

MS LI: That's all I wanted to ask.

THE COMMISSIONER: Yes, thank you, Ms Li. Anything arising?

MR ROBERTSON: No, Chief Commissioner.

10

THE COMMISSIONER: Right. Mr Wood, that concludes your evidence. You may be required tomorrow or you may not be. You heard what I said earlier. The transcripts from the compulsory examinations will be tendered, that is evidence you gave in compulsory examinations, tomorrow. If there's no issues that your lawyer wants to raise or you want to raise about those transcripts, then they will be tendered tomorrow and you won't need to return here tomorrow. If you are required to return tomorrow you'll be advised later today. Do you understand?---Yeah, thank you.

20 All right. Yes, thank you. You may step down.

**THE WITNESS WITHDREW**

**[10.34am]**

MR ROBERTSON: Can I deal with three formal tenders that arise from yesterday's proceedings. First I tender the email from Quanbao Liao to Alex Wood and others of 3 August, 2015, 9.42am and attaching minutes of meeting of 3 August, 2015.

30

THE COMMISSIONER: Become Exhibit 345.

**#EXH-345 – EMAIL FROM QUANBAO LIAO TO ALEX WOOD  
AND OTHERS ON 3 AUGUST 2015 AT 9:42AM ATTACHING  
MINUTES OF MEETING ON 3 AUGUST 2015**

40 MR ROBERTSON: Next I tender the email of 5 May, 2017, 8.31pm from Mr Steve Tong to Alex Wood titled Donation to Labour, spelt L-a-b-o-u-r, which was formerly page 47 of MFI 24.

THE COMMISSIONER: That will become Exhibit 346.

**#EXH-346 – EMAIL ON 5 MAY 2017 AT 8:31PM FROM STEVE  
TONG TO ALEX WOOD TITLED 'DONATION TO LABOUR'**

MR ROBERTSON: I tender the email of 18 September, 2018, 3.25pm from Mr Steve Tong to Kenny Zhan, Z-h-a-n, entitled Meeting Record with Ernest Wong on 17.9.2018.

THE COMMISSIONER: Yes, that will become Exhibit 347.

10 **#EXH-347 – EMAIL ON 18 SEPTEMBER 2018 AT 3:25PM FROM STEVE TONG TO KENNY ZHAN TITLED ‘MEETING RECORD WITH MR ERNEST WONG ON 17.9.2018’**

MR ROBERTSON: Those are the only housekeeping matters. I call Ernest Kwok Chung Wong.

THE COMMISSIONER: Yes, thank you. Mr Wong, did you take an affirmation on the last occasion?

20 MR WONG: Yeah, affirmation.

THE COMMISSIONER: Do you wish to take an affirmation today?

MR WONG: Sure.

THE COMMISSIONER: Thank you.

THE COMMISSIONER: Yes, thank you. Mr Hale?

MR HALE: Do I need to make application for a further declaration under section 38 or does the previous one still apply?

THE COMMISSIONER: Well, that's what your client wishes?

10

MR HALE: Yes.

THE COMMISSIONER: Yes, all right. Well, for more abundant caution I'll deal with it again. Mr Wong, you understand the provisions of section 38 of the Independent Commission Against Corruption Act by now I understand.---Sure.

It's your desire to have a declaration made in respect of your further evidence.---Sure.

20

You understand of course that you are under an obligation to answer all questions truthfully.---Sure.

Being satisfied that it is necessary and desirable in the public interest to do so, I direct pursuant to section 112 of the Independent Commission Against Corruption Act that the evidence to be given by Mr Wong, the contents of any exhibits that may be tendered or any documents shown to him, any information that might enable, shall be - - -

30 MR ROBERTSON: I'm sorry, Chief Commissioner. You may be inadvertently making a direction under the wrong section.

THE COMMISSIONER: Sorry, I am. In respect of the further evidence of Mr Wong, a declaration was made previously under section 38 and he has affirmed today that he wishes to have the protection under that provision. Accordingly, I make direction under section 38 that the evidence he may give today will be the subject of the provisions of section 38 on the basis that he objects to giving evidence. That being the case, it's unnecessary for Mr Wong to make objection to any particular answer given or document produced.

40

**IN RESPECT OF THE FURTHER EVIDENCE OF MR WONG, A DECLARATION WAS MADE PREVIOUSLY UNDER SECTION 38 AND HE HAS AFFIRMED TODAY THAT HE WISHES TO HAVE THE PROTECTION UNDER THAT PROVISION. ACCORDINGLY, I MAKE DIRECTION UNDER SECTION 38 THAT THE EVIDENCE HE MAY GIVE TODAY WILL BE THE SUBJECT OF THE**

**PROVISIONS OF SECTION 38 ON THE BASIS THAT HE OBJECTS TO GIVING EVIDENCE. THAT BEING THE CASE, IT'S UNNECESSARY FOR MR WONG TO MAKE OBJECTION TO ANY PARTICULAR ANSWER GIVEN OR DOCUMENT PRODUCED.**

THE COMMISSIONER: Yes.

10 MR ROBERTSON: Mr Wong, do you stand by the evidence that you've given to this Commission both in public and private sessions?---Yes.

So you accept then that in 2015 you were involved in a scheme to circumvent New South Wales electoral law. Is that right?---No.

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

20 Chief Commissioner, I apply for the direction that was made under section 112 of the Independent Commission Against Corruption Act in relation to the compulsory examination of Mr Wong on 25 September, 2019 be lifted insofar as it would otherwise prohibit the publication of the fact that Mr Wong gave evidence on that date and insofar as it would otherwise prohibit publication of any question asked or answer given in this public inquiry.

30 THE COMMISSIONER: Yes. On 25 September, 2019 Mr Wong gave evidence in a compulsory examination. It is necessary that I vary a direction made under section 112 for that fact to be disclosed as otherwise the order made would preclude its publication. In addition, insofar as the direction under section 112 would prohibit reference to any questions and answers given in the course of that examination, I vary the direction both for the purpose of disclosing that he did give evidence in compulsory examination on that date and for the purpose of enabling questions to be put to him in respect of questions and answers recorded in that compulsory examination.

40 **VARIATION OF SUPPRESSION ORDER: ON 25 SEPTEMBER, 2019 MR WONG GAVE EVIDENCE IN A COMPULSORY EXAMINATION. IT IS NECESSARY THAT I VARY A DIRECTION MADE UNDER SECTION 112 FOR THAT FACT TO BE DISCLOSED AS OTHERWISE THE ORDER MADE WOULD PRECLUDE ITS PUBLICATION. IN ADDITION, INSOFAR AS THE DIRECTION UNDER SECTION 112 WOULD PROHIBIT REFERENCE TO ANY QUESTIONS AND ANSWERS GIVEN IN THE COURSE OF THAT EXAMINATION, I VARY THE DIRECTION BOTH FOR THE PURPOSE OF DISCLOSING THAT HE DID GIVE EVIDENCE IN COMPULSORY EXAMINATION ON THAT DATE AND FOR THE PURPOSE OF ENABLING**

**QUESTIONS TO BE PUT TO HIM IN RESPECT OF QUESTIONS AND ANSWERS RECORDED IN THAT COMPULSORY EXAMINATION.**

MR ROBERTSON: May it please the Commission. Mr Wong, you participated in a compulsory examination on 25 September this year. Correct?---Yes.

10 And that compulsory examination took place after Mr Valentine Yee had recanted from some of his previous evidence. Correct?---Yes.

But before Mr Jonathan Yee had given evidence before this Commission - - -?---Yes.

- - - in the public inquiry. Is that right?---Yes.

The compulsory examination was convened on your request. Correct? ---Yes.

20

And during the course of the compulsory examination you were given an opportunity to say anything that you wanted to by way of correction, clarification or addition to the evidence that you had already given to this Commission in the public inquiry. Is that right?---Yes.

During the course of giving that evidence you admitted that you were engaged in attempting to get around New South Wales electoral laws at least to the tune of about \$20,000. Do you agree?

30 MR HALE: I object, I object to that.

THE COMMISSIONER: Just a moment.

MR HALE: If, if there were certain facts that he stated to the extent that this is a conclusion, then at least the facts relied upon should be put before him.

40 THE COMMISSIONER: Yes. I think if you would approach it, Mr Robertson, on the basis of the particular evidence he gave on that occasion dealing with that matter.

MR ROBERTSON: Mr Wong, do you recall that I put this question to you in the compulsory examination. "So you accept that at least to that extent you were engaged in attempting to get around New South Wales electoral laws. Do you agree?" And you said, "Yes." Do you recall giving that evidence?---Yes, I do.

And is it the case that during the course of the compulsory examination you indicated that some of the money associated with the Chinese Friends of Labor event in fact came from you?---I think I did actually explain the whole situation at the time, not only that I gave money, but then there was the money that I gave to Jonathan Yee for any sort of like expenses in the restaurant for the Chinese community, and apparently I did suggest that he would be able to use that sum of money to either invite people to the dinner or to use as expenses for the dinner, plus his own money.

10 Do you at least accept - - -

THE COMMISSIONER: Could I just pause there for moment. Just so that there's no misunderstanding of anybody that the last two questions and answers given by Mr Wong relate to the particular amount of \$20,000, not generally.

MR ROBERTSON: Or approximately \$20,000.

20 THE COMMISSIONER: Approximately \$20,000, just so there's no misunderstanding about what his evidence related to.

THE WITNESS: Thank you, Mr Commissioner.

MR ROBERTSON: Well, let's be quite clear about this, Mr Wong. You say don't you that you made an advance of about \$20,000 to your credit in an account maintained with the Emperor's Garden Restaurant and that that occurred towards the start of 2015. Is that right?---Yes.

30 So you admit to making a payment of that kind. Is that right?---Yes.

And you say that you made clear to Mr Jonathan Yee that that amount of money could be contributed and indeed should be contributed towards the Chinese Friends of Labor dinner of 2015. Is that right?---I said could be. I did not say should be.

40 But you at least agreed that money standing to your account in an account maintained at Emperor's Garden could be used for the purposes of either buying tables or making other contributions in connection with the Chinese Friends of Labor event. Correct?---Yes.

And do you agree that you didn't disclose that as a contribution by you in relation to the Chinese Friends of Labor event in 2015?---Yes.

And you accept, don't you, that to at least to that extent, to the extent of approximately \$20,000, you engaged in conduct which was apt to conceal the true source of the money, namely you. Do you agree?---Yes.

And so at least to that extent you accept that you've been engaged in an attempt to get around New South Wales electoral laws. Do you agree?  
---Yes. Not intentionally, no.

Well, you at least accept that you engaged in conduct - - -?---Yes.

- - - with an attempt to get around New South Wales electoral laws.  
Correct?---Yes.

10 You knew at that point in time that there was a cap on donations to political parties. Correct?---Yes.

You knew that the scheme of the electoral law was such that the identities of donors should be known and disclosed. Correct?---Yes.

And you knew that the approach that you took, or the approach that you say that you took, of allowing money standing to your benefit in an Emperor's Garden account, taking that approach would be apt to get around New South Wales electoral law, do you agree?---Yes.

20

I suggest to you that's not the only occasion in which you've engaged in conduct with a view to or with an attempt to get around New South Wales electoral law and I suggest you have done matters of that kind in connection with the campaign of Mr Chris Minns. Do you agree?---Yes.

So do you agree that you have concealed the true source of donations in connection with donations for the benefit of Mr Chris Minns' campaign?  
---No. Because at the time, I did give \$3,000 to Jonathan Yee for him to, it's very much like, I give him the money, it's very much like that's his money, it's a gift to him and then he is, he is helping to get other tables or other donors to, for Chris Minns' campaign.

30

Well, let's be clear about that. Are you saying that you agree that you made an advance of \$3,000 to Mr Jonathan Yee with a view to Mr Yee donating that money to the ALP for the benefit if Chris Minns' campaign, is that right?---Yes.

Now, do you agree that you also liaised with Mr Yee with a view to Mr Yee writing or having written cheques of \$900 addressed to the ALP Chris Minns' campaign?---No, I didn't ask him to that, yeah, yeah.

40

So, do you agree that you asked Mr Yee to procure a number of people to sign cheques for \$900, addressed to ALP Chris Minns on the basis that you would reimburse those putative donors for the money ostensibly being paid to Mr Chris Minns' campaign?---No. The time when I gave the money to Mr Yee, I was telling him that that was a gift to him so that he would be able either to invite people to the event or getting people to buy tables. Just to help with the cause.

Well, let's be clear about the difference of money. So are you now talking about the approximately \$20,000 - - -?---No, \$3,000, we're talking about Chris Minns event.

Just let me finish the question. So you're not talking about the approximately \$20,000 aimed for the Chinese Friends of Labor event of 2015, we're now talking about a different sum of money connected with Mr Minns' campaign, is that right?---Yes.

10

And are you now referring to some event connected with Mr Minns', is that right?---Yes.

And so are you saying that you advanced \$3,000 to Mr Jonathan Yee with a view to that money being donated to the Chris Minns campaign?---Not being donated to as such but rather to ask Jonathan to make sure that Chinese Friends of Labor will be able to invite enough people to support Chris Minns' campaign and also probably to try to encourage other people to buy tables or donate money to, to Chris Minns' campaign.

20

But when you're talking about an event and buying tables, are you talking about the Chinese Friends of Labor event or are you talking about some other event for the benefit of Mr Minns?---Chris Minns' dinner, Chris Minns' campaign dinner.

So as well as advancing money to Mr Yee, about \$20,000, with a view to and with the result of that coming into the Chinese Friends of Labor event, there was also money that ultimately found its way in relation to a Chris Minns event, is that right?---Yes.

30

And are you saying it was \$3,000 precisely or it was approximately \$3,000?---No. It's approximate. Look, I will not have a clear recollection if what happened during the time, particularly that was in the middle of the state election campaign where I have to be helping with five electorates, running around. The dinner that we were organising and also there were a lot of other community events which I mentioned before that we were happening in the whole year. So I would not have any recollection, a clear recollection of what really happened at the time but I do recall that I did, I did give some money, which will be around \$3,000, I suppose, to Mr, Mr Yee for him to make sure that he will invite people to, to the dinner.

40

THE COMMISSIONER: Can I ask you, how did you pay that amount of money, whatever it was, about \$3,000 to Jonathan Yee?---Cash. Cash. And I always have cash in hand at home. Do you want to me to repeat that, like I mean I think that was something I gave before in the examination, yeah.

Yes, you have. You've given evidence about that.---Yeah, do you want me to repeat it, Mr Commissioner?

Did Mr Yee give you a receipt for that amount?---No, no.

So it's not recorded anywhere that - - -?---It's not recorded, no.

MR ROBERTSON: Where did you get the \$3,000 from?---From myself. As I said before, I've got – first of all I always, like every, every month I will get \$1,000 sort of like petty cash at home but usually I don't use cash, I always use my credit cards, and those cash will just sit at home and usually I will have around, you know, \$8,000/\$10,000 cash at home for emergency use so that's where I get that from.

When did you advance this approximately \$3,000?---I don't have the exact date. That probably will be early in the year before I went overseas I suppose, yeah.

Are you saying early in 2015, is that what you're saying?---I suppose so. It will, it will definitely be before the Chris Minns' campaign I, I recall but I don't have the exact date.

Well, let's try and be a little bit more precise. Are you saying it was in 2015 before you went overseas toward the start of that year?---I do not have a recollection of exactly the date or the time or the time frame but that probably would be the time that I would have done it.

Are you saying your best recollection is towards the start of 2015, is that right?---It should be, yes.

Is that your best recollection or not?---Look, I would not be – as I said before, I cannot give an answer of yes or no because I didn't have recollection of exact date.

And the approximately \$20,000 was after you came back from overseas towards the start of 2015, is that right?---Yes.

So we're up to about \$23,000 being advanced in this category, is that right? ---Yes.

Is there any other - - -

THE COMMISSIONER: Could I just understand the mechanics of this. So you gave around \$3,000 in cash to Jonathan Yee and you said or you agreed that you did so with a view to the money being – sorry, with a view to encouraging others to buy tables and the like at the Chris Minns dinner, is that right?---Yes.

But what was the mechanics that you envisage there, so you give the money to Jonathan Yee then how was he to deploy or use that to, amongst other

things, encourage others to buy tables at the dinner?---What I've asked him to do is probably using, not using but then transferring some favours to show support of Chris Minns' campaign. So I say either then he can invite a few people to the dinner and then trying to get more people who are able to, to come along to pay their own - - -

I'm still not clear - - -?--- - - - so that's how they, how (not transcribable)

10 Not clear, however, how the supply of money is related to the purchase of tables. How did you envisage that would unfold? You get the cash, put it in the hands of Jonathan Yee, then what was he going to do with that?---Just all the tables (not transcribable) one or two or three more tables so then he will be able - - -

So he would employ the cash to as it were reserve a table or two or whatever?---Yes.

And - - -?---Look - - -

20 When you say reserving a table, what does that mean?---What I, what I - - -

How is the money deployed? I'm just trying to understand the mechanics. ---Quite frankly I did not actually even contemplate how that is going to happen, but I rather sort of like just giving Jonathan and say, look, I know that you will be very busy sort of like trying to organise another dinner but this is my portion of money that will be able to help you out so try to, to, to get tables or people who will be like to come to, to the dinner to support Chris Minns and that's our conversation. Sorry.

30 So what you're saying, I understand, is this parcel of money has in effect been earmarked for being deployed in some manner at Mr Yee's discretion for the purposes of the Chris Minns' campaign?---Yes.

MR ROBERTSON: And you would at least accept that the effect of that arrangement is to conceal the fact that the true source of the money in relation to those tables is you and not the persons in whose names the tables might be booked?---I would not be able to say no but frankly at the time when I was giving that money to, to Mr, to Mr Yee I did not actually even intentionally thinking of the reason of it but it's rather that I would like to  
40 give some support to Mr Yee at the time.

So you said you - - -?---I may be wrong.

So you said you wouldn't be able to say no. I take it then that the answer to my question is yes. Is that right?---Yes.

Don't look at Mr Hale.---No, no, I'm looking at everyone. Sorry, Mr Robertson.

MR HALE: I don't think he was. I don't think he was.

MR ROBERTSON: Well, look at me - - -?---I think yes.

- - - and don't look at whoever you were looking at.---I'm answering yes, I say yes.

10 Now, what ultimately happened in relation to that \$3,000, did Mr Yee or people that Mr Yee arranged in fact reserve tables for the Chris Minns event?---I have no idea. I have no idea. I just gave him the money, he worked on it. At the end of the day if he's getting donations or if he's getting tables, I don't - I did buy a table myself.

But you had at least some involvement in donations to Mr Minns' campaign towards the start of 2015. Do you agree?---Well, it depends on what kind of participation you're talking about. I'm trying to get as many tables as I can, as many support as I can, but I'm not sort of like really into organising that event for - - -

20

Well, you played at least some role in the organisation of contributions being made to Mr Minns towards the start of 2015. Do you agree?---Yes.

In particular you procured Mr Jonathan Yee to obtain a number of cheques of \$900 for the benefit of the ALP Chris Minns campaign.---No.

Would you agree?---No.

30 You played no role, did you, in obtaining cheques of \$900 from Emperor's Garden Pty Ltd and from other individuals associated with Mr Jonathan Yee. Is that your evidence?---Yes.

40 Why then were there a series of cheques in your office made out to ALP Chris Minns and in names like Emperor's Garden Pty Ltd or in Jonathan Yee's name?---So that would be very much towards sort of like later days with Jonathan told me that, you know, he would be able to get a few of those donations and then of course they would be cheques from other people where I myself asked them to donate or to buy the table. So at the end of the day they were, they are cheques that sort of like through email ended in my, in my office.

So are you saying that \$900 cheques to ALP Chris Minns, what, some of them were associated with Mr Yee and some of them were ones that you procured yourself. Is that right?---I suppose so, yes.

Well, suppose so or you - - -?---I, I haven't got the list of those people there but I, when I look at the exhibit I did recognise a few names there where

they are very close friends of mine where I did ask them to donate money themselves.

Well, do you deny that you asked Mr Jonathan Yee to organise 10 cheques of \$900 on the basis that you would reimburse the drawers of those cheques the \$900?---I deny that.

You deny that, on your affirmation?---Yes.

10 Why then did Mr Jonathan Yee send you a list of 10 people and send you \$900 cheques times 10 people?---Well, he thinks that I am actually helping with or asking him to support then he probably just send it to me to show me that's what he has done. I will not be able to speak on his behalf.

Can we go to Exhibit 304, please. Mr Wong, this is one of the exhibits that you're referring to a moment ago that you've looked at. Is that right?---Yes.

20 And if we just turn the page, do you agree that each of these individuals are individuals who drew a cheque addressed to ALP Chris Minns?---Yes.

And do you accept that at some time in or about March of 2015 there were cheques in your parliamentary office drawn by these individuals and had a payee of ALP Chris Minns?---You mean, you mean copies of lists of cheques, or cheques?

No, the cheques themselves.---I didn't recall that I've seen cheques as such, but rather, but rather copies of cheques, yes.

30 But you were coordinating donations to Mr Chris Minns' campaign towards the start of 2015. Do you agree?---Yes.

And you were asking Mr Yee to seek to procure donations for that campaign. Do you agree?---Yes.

In fact you asked him personally for a donation from himself. Correct?---Yes.

And you asked for a donation from his company. Correct?---Yes.

40 You also asked him to procure further donations, which he ultimately did, in the names of the people we can see on the screen. Do you agree?---Yep.

And you ultimately received cheques drawn from each of these individuals. Correct?---That I do not recall.

Well, let's go to Exhibit - - -?---I do not recall I'm receiving those actual cheques. That may be the case but - - -

Let me help you. Let's go to Exhibit 305.---Thank you.

So you'll see here, Mr Wong, we have a scan from what appears to be your room in Parliament House. Your room was room 1107, wasn't it?---Yes.

10 And if we then turn to the next page you'll see a series of cheques. Do you agree that these cheques, not just a copy of them but these cheques, were in your Parliament House office on or about 13 March, 2015?---I'm sure I've overlooked that, but if that's the case, that's the case, but I just have got no recollection of these cheques myself.

THE COMMISSIONER: I take it you are not disputing that you did have the cheques?---Yeah. I'm not disputing at all, yeah.

MR ROBERTSON: And we'll just flick through the remaining pages. So you'll see there was Emperor's Garden et cetera, Jonathan Yee. If we go to the next page and one further page, you'll see a series of other cheques including one drawn by you for \$600. Do you see that there?---Yep.

20 Mr (not transcribable) Chung, C-h-u-n-g. And if we go to the next page and the next page, and so you're at least not disputing that the cheques that I've just shown you were in your office on or about 13 March, 2015, is that right?---I'm not disputing.

But I think you are disputing the proposition that you had asked Mr Jonathan Yee to organise each of the \$900 cheques, is that right?---Yes.

30 And you are disputing Mr Yee's evidence that you reimbursed him in relation to the \$900, is that right?---Yes.

But you've added some additional information today, namely that you also advanced about \$3,000, earmarked as it were, to Mr Chris Minns' campaign, is that right?---Yes.

THE COMMISSIONER: Sorry?---Yes. Sorry, yeah.

40 MR ROBERTSON: Now, the approximately \$20,000 matter and the approximately \$3,000 matter, are there any other circumstances in which you've entered into an arrangement to conceal or that had the effect of concealing the true source of donations to the Labor Party or Country Labor?---No.

So you're, as it were, admitting to the \$20,000 arrangement, correct?---Yes.

You're admitting to the \$3,000 arrangement, correct?---Yes.

But you're not admitting to any further arrangement, correct?---Yep.

Is it still your evidence that on the evening of the Chinese Friends of Labor event on 12 March, 2015, you were handed, towards the end of the night, a big bag of cash?---Yes.

And during the course of the public inquiry, I think you said that Mr Yee told you that he would be able to get about 70 to \$80,000 by way of donations, is that right?---About that because I think we had an agreement where I will be contributing there \$20,000, he would definitely make up with that amount of money because he has got his family, the restaurant and friends to support him. So, he will be making up about 20 to 30, so I  
10 assume there will be around 50 to \$60,000 with the other, yeah - - -

But you were expecting, sorry, what amount did you say, 50 to \$60,000?---I think the \$6,000 from Jonathan and myself add up but then of course there will be other cash that we would collect on the night, like Dr Liao's or, you know, other people where they probably would be around 70 to 80. But none of, look, there was not a mention of exactly how much was in the bag or how much has been handed to me in the night.

20 I just want to be clear about this. You expected Mr Jonathan Yee to bring tens of thousands of dollars of cash to the event on 12 March, 2015, is that correct?---Yes, yes.

And are you saying you expected him to bring something like 50 to \$60,000, is that what you said?---Yes.

Of which about \$20,000 of that money was actually your money, is that right?---Well, that's what I assume that would be. I did not ask him or he did not tell me exactly that he used up that \$20,000 at all but I assumed that  
30 would be, yeah.

But the whole purpose of giving him that advance of approximately \$20,000 was to buy seats or tables at the event, is that right?---I have to, I have to, to recap it where that was the money where I put in as in the account from a credit in the later on days for Chinese community events but on the other hand I did suggest him, say, if you want, if you want to sell tables, as, as much as he can, he would be able to use that sum of money to invite people to come to the dinner.

40 Now, let's be clear about this, Mr Wong. Your evidence is, isn't it, that you advanced about \$20,000 to Mr Jonathan Yee - - -?---Yes.

- - - and made it clear to him that he could use that money for the purposes of buying seats or tables at the event of 12 March, 2015. Is that right?  
---Yes.

Now, did he in fact purchase any seats or tables at the Chinese Friends of Labor event?---I think he did have at least two or three tables or four tables

altogether, but I, I've just got no recollection, even though if I've been reading some of those exhibits, but I just, you know - - -

But you've accepted that you were responsible for maintaining a register of payments and tables. Correct?---Yes.

So in what names were the tables that Mr Jonathan Yee purchased?  
---I can't recall.

10 Well, what was his table number?---I can't recall.

Would you agree with me that on your payments register, which you accepted earlier in the public inquiry was the best evidence of the purchase of tables and seats, that there is no table addressed to Emperor's Garden Pty Ltd or anything else associated with Emperor's Garden. Do you agree?  
---Yes.

There's no table allocated to Mr Jonathan Yee, for example?---Yeah.

20 There's no table allocated to anyone else associated with the Yee family. Would you agree?---Yes, because I did say that there was actually four tables not numbered to be reserved to him, for him, to make sure he fill it up, and then of course I think there will be another table for Inner West Lions Club, whatever it is, I can't remember, that he actually, he actually ask, I don't know if it's been paid by Inner West Lions Club or, or Hong Kong Business Association, I, I did not recall.

30 So are you seriously saying that Mr Jonathan Yee bought some unnumbered tables. Is that what you're saying?---Yes.

You know that that room was completely full on 12 March, 2015, don't you?---Yes.

In fact the room - - -?---And that includes the four tables as well.

40 In fact the room was originally going to have 60 tables and you decided to remove two because you were running out of room. Correct?---But that was to accommodate those three – look, at the end of the day if you look at all those numbers, those numbers are numbered without 4, without 4, so that means those four are actually reserved within the whole, the whole lot of the tables.

Come on, Mr Wong, are you seriously suggesting at a Chinese event that there was a table 4? Come on.---Of course no.

You know, everyone in this room knows that number 4 - - -?---That's what I'm saying.

THE COMMISSIONER: Just, just a minute.

MR ROBERTSON: Number 4 is an unlucky number - - -?---Of course.

- - - within Chinese culture. Correct?---Of course.

There was no table 4 or 14 or 24 or 34 at this event, was there?---Of course.

Of course there wasn't.---Of course.

10

There's not even a level 4 in any building in Sydney that seeks to have Chinese people purchase them because level 4 is unlucky and therefore won't sell as well. Correct?---Of course. So that's why they were, they were purposely left out on the, on the, on the numbers of it so people would not be able to go to sit on the table 4.

But let's - - -?---But they know that that is included in the whole plan where there are four tables where it's not been numbered.

20

Let's go to Exhibit 186, please. Let's go to the seating plan. So just to be clear about this, are you saying that Mr Jonathan Yee bought four unnumbered tables. Is that what you're asking this Commission to believe? ---No. I have no recollection did he really get the four tables, but I said before, I reserved those four tables because they're not numbered so make it easy or flexible for him to bring in his own, his own people.

Mr Wong, you were in charge of maintaining a register of payments. Correct?---Yes.

30

You were in charge of allocating tables. Correct?---Yes.

So you're the person who knows whether someone has bought a table and if so, what table it is. Correct?---Yes.

Now, you'll see on the screen a copy of a seating plan. Do you say this accurately or inaccurately sets out the room on 12 March, 2015?---That's not accurate, like, set-up.

40

Are you saying it's not accurate because somewhere interspersed on this document were some unnumbered tables as well?---Yes.

Where?---Well, not only that, not only that, but then because all these would be very much like a floor plan that would be changed on the night, or the way that the restaurant is going to set up, it's always different from what we have in the plan. The only thing that I always have to, to focus on is to make sure those tables in the centre of it will be seen as the centre, the centre tables.

This is just fantasy, Mr Wong, isn't it, absolute fantasy?---No, no.

Where were the unnumbered tables, just identify where the unnumbered tables were by reference to this?---I put, I put it close to table number 28 because I assumed those would be the \$5,000 tables.

You know that with a setup of this particular room, there's barely room to breathe in this room, do you agree?---Of course there are.

10 There is no - - -?---There are VIP - - -

Just let me finish the question. There is no room, unless you're going to have someone sitting on Mr Huang's lap, you'd have no room to put unnumbered tables between say table 28 or table 30, would you agree? ---Well, that's an interpretation but of course there are. Even when I am saying table number 63, 65, 66, 67, VIP 1, VIP, 3, 2. Sometimes I use them to accommodate particularly the volunteers or people where they are not paying for the tables.

20 Now, if you have a look towards the right-hand side of the page, do you see there's a table 1 and table 2 that's identified there?---Yes.

Those tables were cancelled off the final seating plan because you'd run out of room, correct?---No. I didn't recall, well, put it this way. I didn't recall.

Have a look at the number of tables that are towards the sort of bottom right-hand side, see how it says 58?---(No Audible Reply)

30 See how it says 58 there?---58, yep.

That's the number of tables according to this seating plan, correct?---Yeah.

And would you agree with me that an earlier draft, before the amendments of 11 March, 2015, there were 60 tables?---Yeah.

And you and Mr Yee decided to delete tables 1 and 2 because there wasn't enough room, correct?---No. I do not recall that at all. It is not my recollection at all.

40 Can we go please to volume 3, page 184. And so just before that comes up, are you saying you have no recollection of making contact with the event organisers, or at least with the restaurant owners to say, "Please delete tables 1 and 2"?---I don't recall that.

You might have done it but you just don't recall it one way or the other?---I don't recall that. That's like before, I didn't recall it, yeah.

Well, let me help you. Volume 3, page 184. Just have a look towards the bottom of the page, I'll just scroll down a little bit. 4 March, 2015, 9.47am. Rita is someone who works at the restaurant, is that right?---Yep.

And she was the main contact in terms of organising this event, is that right?---Yeah.

10 And do you see there, you say, "Please be informed that we're going to delete table 1 and 2 for banners and gift so that we'll have 58 tables instead of 60," correct?---Yes. Just by reading the email, yes.

And you'll see that Mr Jonathan Yee emphasises, "Please ensure that the tables correspond to the floor plan." Not, "Please ensure that it corresponds but please give a few unnumbered tables for me." "Please ensure that the tables correspond to the floor plan." And he says amongst other things, "It's embarrassing to sell a table at a higher premium and the table is in the wrong place." Do you see that there?---Yep.

20 And you responded saying, "Thanks big boy, that's the thought." Do you see that?---Yep.

Now, I want to suggest to you that there simply wouldn't be room to comfortably put three or four unnumbered tables interspersed in amongst the floor plan we saw a moment ago. Do you agree?---Not really. Because what I did was that actually I allocate four tables around the centre table but all of those numbers can be changed. It always, there is always the custom that it, it changed every night, every event when people come, come along. So I will say that because when the restaurant is, when they start to set up tables, sometimes, as well has been said by Jonathan Yee, sometimes the tables will be moved a bit further right or further left or, or further, you know, in a direction where it, people will feel uncomfortable and someone want to sit next to certain people. So, basically it changed every night.

So just to be clear, you're saying Mr Jonathan Yee bought some unnumbered tables that don't appear on the seating plan and don't appear on the payment's registry, is that right?---Look, can you ask the question - - -

Mr Wong, is that right or not?---Right, yes but can I just give a bit of - - -

40 No, no.---Okay, fine.

THE COMMISSIONER: Just answer - - -?---Sure.

Well, you're just being asked questions. I want you to answer them directly rather than - - -?---Sure. I understand. Sure.

MR ROBERTSON: Mr Wong, that part of your evidence is complete fantasy. Would you agree?---No. That's your interpretation, Mr Robertson.

Now, in terms of – well, it’s not just my interpretation. You are deliberately lying to this Commission by giving that evidence. Do you agree?---No.

Back to 12 March, 2015. Does it remain your evidence that towards the end of the dinner you were presented with two bags, one was a big bag of cash containing tens of thousands of dollars and another was a bag that had forms and probably some cash. Is that right?---Yes.

10 And does it remain your evidence that you gave the big bag of cash to Mr Huang to deliver to Mr Clements at ALP head office?---Yeah.

Does that remain your evidence?---Yes, but can I ask, can I just explain. After the whole four, sort of like four weeks of break where when I start to look back all those statements because of so many of those are media, media, media exposure, people telling me (not transcribable) so I have, my, my recollection or my memory has been reconstructed according to what I have been told or the information from other sources so - - -

20 THE COMMISSIONER: Just pause there, Mr Wong.---Sorry.

Mr Wong, you’re just being asked about a physical event as to these two bags and what happened to them so at the moment all we’re going on is your recollection of what happened about that limited aspect so what - - -? ---Sure. I understand.

MR ROBERTSON: So can we just seek unpack what you started to say, Mr Wong. I just want to be clear. Is it right to say you’re still clear in your mind that on the evening of the event you were presented with two bags?  
30 ---Yes.

A big bag of cash, tens of thousands of dollars. Correct?---Yes.

A separate bag, forms and probably a bit of cash as well. Is that right?  
---Yes.

So at least that’s clear in your mind. You’re not seeking to - - -?---That’s not clear in my mind.

40 That's not clear in your mind?---That not clear in my mind. The bag of money of course I do recall that the other bag of forms I think is not the first time I said, I keep on saying I have no recollection of getting that bag later on as what Mr Kenrick Cheah has mentioned that we had the meeting, we had, we had a coffee then I gave him that bag of things. The reason being that because I had, I think that's not the first time I said as well, I had a few drinks on the night and then I actually had a bit of, of, of, of alcoholic blackout after the event and that is only one of the event among many events I’ve done so sometimes my recollection is not as clear as you want to

put to me. I still have the recollection of that but it's not 100 per cent clear. That's what I would like to - - -

I just want to be precisely clear about what you have to say because this is important.---Yes.

You have a clear recollection in your mind of the big bag of cash. Correct? ---Yes.

10 That you're not seeking to qualify?---No.

Blame the drink, anything like that. That you've got a clear recollection in your mind?---Yes.

Bag of cash, tens of thousands of dollars in it. Correct?---Yes.

Is what you're saying that you're now seeking to qualify or explain the second bag?---Yes.

20 And is what you're saying you think there probably was a second bag? ---Yes.

But you're no longer quite sure. Is that right?---I'm not quite sure because at the end of the day (not transcribable) try to resurge my memories or to, to look back and refresh my memories I still have not any recollection of meeting with Kenrick Cheah and handing him that bag of forms or money, whatever it is, yeah.

30 We'll come back to that detail.---Sure.

At the moment I just want to focus on 12 March, 2015.---Sure.

Clear recollection big bag of cash. Correct?---Yes.

A recollection but not quite sure second bag of forms and maybe a bit of cash. Correct?---Yes.

40 Clear recollection that you gave the big bag of cash to Mr Huang. Correct? ---Not 100 per cent because when I come to think about it, think back it probably would be Kenrick Cheah or, or, or, or Mr Huang but I do have the recollection that I gave it to, to Mr Huang but if I have to sit down and think back and trying to refresh my memories I just find I cannot say 100 per cent sure that I pass it on to Mr Huang but I do have a recollection as such since the first time I was examined. I have to say that there.

THE COMMISSIONER: But, Mr Wong, there are two things. One is whether you recollect the event in question, that is, a bag containing tens of thousands of dollars being handed to Mr Huang.---Yes.

As distinct from your recollection as to the extent of, sorry, as distinct from the extent of your recollection about around that matter.---Yes.

So it's two things, firstly whether the event occurred at all and the second is the extent of your recollection around that event.---Sure.

10 As I understand it as to the first you're saying, your evidence is that as to the bag which contained tens of thousands of dollars, you took it and gave it to Mr Huang.---Yes.

And that's about all you remember about that aspect. Have I got that right? ---Yes, I did have, yeah, that recollection, yes.

Is that right?---Yes. But I still - - -

So what is it about that particular, call it a transaction, handing a bag of money to someone, what - - -?---It's - - -

20 No, let me just finish my question.---Sorry, sorry.

30 Is there anything around that that you say you don't have a recollection about?---I think it's the doubt after all this, the doubt. I feel a bit, a bit confusing myself when I come to think about it, particularly when I read the statements from, from, from Mr, from Mr Clements when he mentioned that I told him that I, I actually gave the money to Kenrick Cheah or whatever it is, because throughout the whole process of it, we're talking about an event four years ago, three and a half years ago, the time when I was examined, and I have come across a lot of information regards to Mr Huang delivering the money. Now, throughout all these years, it's not the first time I've asked Mr Huang to pass on things to head office whenever it's been handy. So I just, I just, I just throw a bit of doubt on myself. I'm not saying that I am denying the recollection that I had that I passed the money on to Mr Huang to take it back to head office, but I just wanted to let you know, Mr Commissioner, that I have a bit of doubt or, or confusion myself - - -

In that last answer - - -?--- - - - throughout the whole process, yeah.

40 Sorry. In that last answer you've just given you made reference to, as I understood it, this wasn't, 12 March wasn't the first occasion on which you'd handed a bag of money to Mr Huang. Is that what you said? ---Not bag of money, but rather a lot of things where I've always been asking, not always, but sometimes Mr Huang would like to say, "Oh, I'm going to head office," "Will you be able to pass on the message or are there any other, other things?" But I just can't recall any of those particular things, but it is not like a one particular event as such.

MR ROBERTSON: So can I just be clear. Are you saying that you've used Mr Huang on more than one occasion as a delivery man to deliver things to head office. Is that right?---Yeah, whenever we be able to attend, meeting up with, with Mr Clements or going to the head office or going to the event, yes.

THE COMMISSIONER: Sorry, the answer to the question is yes?---Yes.

10 MR ROBERTSON: And so do we take it from that, that on more than one occasion you've made arrangements for Mr Huang to meet with Mr Clements. Is that - - -?---No. I do not make the arrangements. It's always whenever we had a chance to meet up, Mr Huang say, "I'm going to head office." I say, "Oh, yeah, I've got certain things that I want to pass it on, will you be able to help me to do that?" I'm not arranging any meetings between Mr Clements and, and Mr Huang.

20 So are you saying you've never made any arrangements for Mr Clements and Mr Huang to meet?---Probably if you want to phrase it as where it's a formal arrangement as such, but it just like, if I see a person where, oh, someone want to see you, is that possible, do you want to arrange a time, yes, I have arranged that probably once, twice.

So to be clear, there is at least one occasion, perhaps more, in which you've made arrangements for Mr Clements - - -?---Oh, yes.

- - - to meet with Mr Huang. Is that right?---Yes.

30 And has that included making arrangements for the two to meet at the Sussex Street head office?---I don't usually arrange where they're meeting. I'm always sort of like, just convey the message, Mr Huang, Mr Clements, do you want to meet and they decide on where they want to meet or how they want to meet.

THE COMMISSIONER: You may not always do it, but I think the point of the question is, have you done that in the past, that is set up a meeting - - -? ---No.

40 - - - between Mr Clements and Mr Huang?---No, in head office. I think that's what Mr Robertson's question, right?

Yes.---No.

MR ROBERTSON: So you've never done that at head office?---No.

But do we take it from that qualification that you have done that in relation to other locations?---Yes.

THE COMMISSIONER: Can you - - -

THE WITNESS: Suggested by either Mr Clements or Mr Huang.

THE COMMISSIONER: What were those other occasions?---I can't remember. I can't remember.

MR ROBERTSON: Well, have you ever suggested to Mr Clements, let's set up a meeting or a dinner or a lunch or something with Mr Huang?  
---Probably once.

10

Only once?---Once or twice.

Only once?---Maybe once or – probably once, yeah. I, I have, I would have any recollection, it's just like, I've got so many sort of like, you know, different occasions to arrange meetings or lunch or, you know, whatever it is. So - - -

As at 2015, Mr Huang was a potentially significant asset to the Australian Labor Party, correct?---You can say that, yes.

20

THE COMMISSIONER: No, he's putting it to you to either agree or disagree with.---Yes, agree.

MR ROBERTSON: And part of your power within the Australian Labor Party at that point in time was that you were regarded as a prolific fundraiser, correct?---Yes.

30

Also part of your power was that you had access to Mr Huang, who at the time was a good friend of yours, correct?---No. I think the other part of it is how I will be able to get votes, support from the Chinese community. Ever since I was in Labor Party I have always been asked because I think Labor Party has, has distant from the Chinese community or ethnic communities for many, many years. They have done various review in how we are going to make - - -

THE COMMISSIONER: Just pause there. You're - - -?---And that is my, that's another part of - - -

40

Mr Wong, you're not at liberty to make speeches.---Sure. I understand, yeah.

So if you just listen to the point of the question and answer that point of the question without making a speech.---So, so the answer is no.

MR ROBERTSON: Mr Wong, do you agree that in 2015, you took steps to arrange for Mr Huang to meet with Mr Clements and with other senior people with in the Australian Labor Party?---I probably did organise meetings between Mr Huang and Mr Clements but other senior, senior, I

don't think I have and I don't think I have that authority or power to do that at all.

Well, you sought to make arrangements pursuant to which Mr Huang would be able to meet senior politicians, including Mr Foley and Mr Shorten, correct?---Mr Foley, yes. Mr Shorten, I probably try to organise it through Mr Clements but I would not be able to have any direct access to Mr Shorten's office to try to organise that meeting.

10 As at 2015, you were a close friend of Mr Huang, correct?---Yes.

Do you remain a close friend of Mr Huang?---Yes.

Did you meet with him with you were in China two weeks ago?---No.

When's the last time you've communicated with Mr Huang?---Oh, many months ago.

20 Have you discussed this Commission's investigation with Mr Huang?---No.

Back to the dinner of 12 March, 2015. I want to be crystal clear about your position with respect to that dinner. You have a clear recollection of the big bag of cash, tens of thousands of dollars on that evening, correct?---Yes.

Your best recollection is that you gave it to Mr Huang, correct?---Yes.

30 You're not trying to distance yourself from that part of your evidence, are you? You're still saying that your position is that you gave it to Mr Huang in order to deliver it to Mr Clements at ALP head office, correct?---Yes.

And you have a recollection - - -?---To head office, not particularly to Mr Clements. I don't know who is actually receiving that.

But in the public inquiry, you were astute to refer to the fact that Mr Huang used a term of general secretary or secretary general.---Yes. Meeting with general secretary, yes.

40 Is that still your recollection or do you have some other recollection now? ---Yes. Yes, no. That's my recollection.

So to be clear, your best recollection is that Mr Huang offered to take the big bag of cash to Sussex Street office, correct?---Yes.

And the reason that he offered to do that is he told you that he was visiting the general secretary within a few days or so, is that right?---Yes.

And that's your best recollection sitting there right now, is that right?---Yes.

You mentioned Mr Cheah a moment ago but that really doesn't have anything to do with at least the big bag of cash, is that right?---Well, it, it would be. That's I'm saying that I cast a bit on doubt on my own recollection because of all those exposures, reportings, informations that I've been influenced by a lot of those informations. So I may because, because that is the normal practice for every single event that we had.

10 But do you agree that you told this Commission in the public inquiry back in September that you looked for Mr Kenrick in order to give him the money and he had left?---Yeah. That was my, that was my recollection at the time.

Is that still your recollection or is there some other recollection?---It, it, it, it's a bit soft, like in a faint, quite frankly.

But you're at least saying your best recollection is consistent with what you said before - - -?---Yes.

20 - - - namely Mr Huang being the delivery man back to - - -?---Yes.  
- - - back to head office.---Yeah.

But you're seeking to say you're a bit less sure about the second bag, the one with the forms, and maybe a little bit of cash. Is that right?---The same bag as well, like both of them, both of them, both of them, because by thinking of it - - -

30 No, no, it's - - -?---But I'm not, I'm not (not transcribable) sort of like (not transcribable) saying that that is definitely what's, what happened. I really can't.

I'm going to pin you down on what you say the position is, according to your best recollection. It is big bag of cash, tens of thousands of dollars, given to you, given to Mr Huang because he's going to deliver it to head office within a few days or perhaps a week because he has arrangements to meet the general secretary. Is that right?---Yes.

That's your best recollection sitting there now?---Yes.

40 You have a recollection of having a discussion with Mr Huang that played out in the way that you've just identified. Is that right?---Yes.

Now, in the context of that discussion, why didn't you simply say to Mr Huang, well, we're going to meet with Mr Clements this coming Sunday at your Mosman residence, why don't you just give him the bag of cash then? ---I didn't recall that we met at his residence at the weekend.

Well, you had made arrangements in advance - - -?---But that's not, yeah.

Let me finish my question.---Sure.

You had made arrangements in advance of the Chinese Friends of Labor dinner of 12 March, 2015, for Mr Huang, Mr Clements and you to have a light lunch together on the following Sunday, 15 March. Do you agree?  
---So this I organise it or I arrange it or - - -

10 You made arrangements - - -?---Yeah.

- - - for a light lunch to take place at the Mosman residence of Mr Huang and with Mr Clements for Sunday, 15 March, being the weekend following the dinner of 12 March, 2015. Do you agree?---I did not have any recollection of it quite frankly.

But you're not denying that you made such arrangements?---I'm not denying it, no.

20 You're saying you don't recall one way or the other. Is that right?---I do not recall, yes.

Well, let me help you this way. Can we go to the telephone extraction report for Mr Clements' phone, please, and go to page 227, using the numbers in the bottom right-hand corner. Now, what I'm showing you, Mr Wong, is what's called an extraction report that obtains data from a particular phone, and the particular phone that we're here looking at is the phone of Mr Clements. And I want to go to page 227, using the numbers on the bottom right-hand side of the page, which I think is the last page of this particular excerpt. Now, we'll just take that off the screen for a moment and we'll just get up 227 using the numbers in the bottom right-hand corner. And while that's happening, I tender page 184 of volume 3, the public inquiry brief, being the email of 4 March, 2015, 1.33pm from Mr Ernest Wong to Jonathan Yee titled Re: Chinese Community Dinner.

30

THE COMMISSIONER: Yes. That will be marked as Exhibit 348.

40 **#EXH-348 – EMAIL ON 4 MARCH 2015 AT 1:33PM FROM ERNEST WONG TO JONATHAN YEE TITLED 'RE: CHINESE COMMUNITY DINNER'**

MR ROBERTSON: Mr Wong, if we start with item 622, which is about seven-tenths of the way down the page, and we'll be moving up the page here because of the way these are produced. Do you see there a message from Ernie Wong?---Yeah.

And then it's to, and because it's an extraction report for Mr Clements, it's to Mr Clements. If you look at the right-hand side, "Jamie, can you please advise which day you'll be available between 15 and 18 to meet up with Huang." Do you see that there?---Yeah.

Now, does that refresh your memory that you made arrangements for you and Mr Clements to meet up with Mr Huang in March of 2015?---It did not actually refresh my memories but it did say in there, that must be the truth, yes.

10

Well, let's keep going in this document. If you go up, go up the document you'll see Mr Clements says, "I'm free for lunch for either of those days." Do you see that there, or "each of those days?" See that, item 621?---Yeah.

And then you propose a light lunch at 11.00am on the 15<sup>th</sup> for an early light lunch?---Yeah.

20

Mr Clements seems to be happy with that. But then note item 618, you're asking Mr Clements to confirm whether he's coming to the dinner on the Thursday, and you know that to be the Chinese Friends of Labor dinner of 12 March. Correct?---Sure, yes.

So you would agree with me, wouldn't you, that you made arrangements for the light lunch with Mr Huang - - -?---Yeah.

- - - before you knew whether Mr Clements was going to turn up to the Chinese Friends of Labor event of 12 March. Is that right?---Yes, I think that's what he said, yes.

30

And not only that's what he said, that's consistent with your best recollection. Is that right?---Yes.

And if we then just go back a page, to page 226, using the numbers in the bottom right-hand corner, and he goes on and says, "Yes." There's then a series of communications about the dinner, who's going to introduce Mr Shorten, should Mr Minns do it, et cetera. And if we then go back a further page, do you see there item 607, you send a reminder to Mr Clements for "The light lunch with H." I assume when you say H you mean Mr Huang. Correct?---Yes, I'd say so, yeah.

40

And that's a reminder for the lunch of 15 March, 2015. Would you agree? ---Yep.

And Mr Clements says, "Yes, I'll be there." At least says, "I will be there." Item 606, do you see that?---Yep.

Now, having had your memory refreshed in relation to those matters, do you agree that you in fact arranged for a light lunch between you, Mr Huang and Mr Clements on 15 March, 2015?---Yes.

And as at the time of the dinner, 12 March, 2015, you knew that that light lunch had been arranged. Correct?---Yes, should be yes.

Well, not just should be.---Yes, yes.

10 You knew that it had been arranged, correct?---Yes.

MR HALE: Well, perhaps I can object here. We should be clear about this. On the one hand he has had his memory refreshed by these particular documents, and he said based upon that he's reached a particular conclusion. And then he's asked about his state of mind - - -

THE COMMISSIONER: Well, he's had his memory – no, I think he said he, it had refreshed his mind of the sequence.

20 MR HALE: No, I understand that based, based, well, I don't know that it actually said, but it certainly, it certainly assisted him to come to the conclusion that this must have happened.

THE COMMISSIONER: Yes.

MR HALE: But then it was, went back to his state of mind as at the date of the, of the dinner, and it was put to him as a positive proposition - - -

30 MR ROBERTSON: I'll just withdraw the question and make it clear. You agree, don't you, that you had a - - -

THE COMMISSIONER: Mr Robinson is taking it on board, Mr Hale.

MR HALE: Yes.

MR ROBERTSON: Well, only to stop my learned friend's objection. You accept, don't you, that you had a light lunch with Mr Clements and Mr Huang on 15 March, 2015, do you accept that?---I accept that, but I still have no recollection of that lunch at all.

40

Well, let's do it in stages.---Yes.

You accept that you had a light lunch - - -?---Yes.

- - - with Mr Clements and Mr Huang at the Mosman residence on 15 March, 2015. Correct?---Sure.

You accept that it was you who made the arrangements. Correct?---Yes.

You accept that those arrangements were made in advance of the dinner of 12 March, 2015. Correct?---Yes, yes.

You accept that those arrangements were made before you knew whether Mr Clements was going to be attending the dinner. Correct?---Yes.

10 And you accept that at the time that you were sitting at the dinner on 12 March, 2015, you knew that a light lunch had been arranged for the following Sunday. Correct?---Well - - -

MR HALE: Well, that's come to the point of my question.

THE COMMISSIONER: No, Mr Hale, that's a perfectly legitimate question.

20 THE WITNESS: Sure. I, I might have the knowledge of that, but that would not be something that I probably come in my mind during the night or whatever it is. It's pretty much like I arrange a lunch, I didn't even recall if I attend the lunch myself at all, and then in the night I wouldn't be able to remember any of those lunch appointments that I have.

MR ROBERTSON: Mr Wong, you're making arrangements on the evening of 12 March, 2015 to ensure that the big bag of cash gets to Mr Clements. Correct?---Yes.

And you're seriously suggesting that it slipped your mind that you had arranged a meeting with that same Mr Clements - - -?---Yes.

30 - - - by way of a light lunch within the next few days?---Yes. That's not unusual at all.

Mr Wong, there was no big bag of cash at that dinner, was there?---Of course there were.

There was no bag of cash with tens of thousands of dollars at that dinner that night.---Of course there were.

40 The bag of cash, the \$100,000 did not come into existence until after the dinner. Do you agree?---No, not at all.

I'm not sure whether you propose to take a morning adjournment?

THE COMMISSIONER: Yes, I will take an adjournment at this stage. Mr Wong, we're going to break for about 15 minutes.---Thank you, Mr Commissioner.

I'll adjourn.

**SHORT ADJOURNMENT**

**[11.40am]**

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Mr Wong, do you agree that in 2015, you were instrumental in seeking to give Mr Huang access to senior members of the Australian Labor Party?---No.

Do you at least accept that on a number of occasions, towards the start of 2015, you sought to make arrangements in which Mr Huang would have access to senior members of the Australian Labor Party?---Yes.

And let's have a look at one example of that. Can we go back to the extraction report document and go to page 232. Can I ask you to draw your attention to item 647. And so is this an example of arrangements of the kind that you had sought to make in 2016, for example, here asking Mr Clements to organise Mr Shorten and Mr Foley to attend a dinner for the Yuhu Group?---Yep. Usually, all of those, they were, they were sent an invitation to those political representatives.

THE COMMISSIONER: Mr Wong, I asked you not to make speeches. ---Yes.

Can we just deal with it question by question.---Sure, yes.

MR HALE: I think, with respect, Commissioner, it might have been an answer in that circumstance.

THE COMMISSIONER: Sorry?

MR HALE: I think, with respect, it might have been an answer. I think what he was putting the precursor to that message.

THE COMMISSIONER: Well, we haven't finished with the topic yet. I'm sure he'll be given the opportunity to fully explain the position.

MR HALE: Yes.

MR ROBERTSON: So, do you agree, Mr Wong, that you sought to make arrangements pursuant to which Mr Shorten and Mr Foley would have access to Mr Huang and vice versa?---Yes. It's a follow up on the invitation sent by Yuhu Group.

But this wasn't the only example of circumstances in which you sought to give Mr Huang access to Mr Shorten or Mr Foley or some other senior

member of the Australian Labor Party, do you agree?---Sorry, Mr Robertson, I do not agree with what the, the question you're putting on me. I am not trying to organise Mr Wong's access to these senior, senior, senior people but rather that when there are events where I think they have invited those people and I just sort of like doing follow up for - - -

10 You have sought to make arrangements in which Mr Huang and senior members of the Labor Party would be able to meet and speak with each other, correct?---Not to my best recollection but that may be the, the case, yes.

Well, isn't that what you're trying to do in item 647, you are encouraging arrangements to be made for Mr Shorten and/or Mr Foley to attend the Yuhu Group Thanksgiving dinner?---That is a Thanksgiving dinner, that is sort of like a community dinner. It would be commercial, it would be business but that is a dinner that would be an occasion or an event that they were invited and I am just follow up for them.

20 The objective of you sending the message, item 647, is to have either or both of Mr Shorten and Mr Foley attend the Yuhu Thanksgiving dinner, correct?---Yes.

And that's not the only example of circumstances in which you've sought to make arrangement for Mr Huang to have contact with senior members of the Labor Party. Do you agree?---I don't agree because I am not making all these contacts. I am just following up on the invitation for them to attend event which is, I think very general, very usual.

30 Do you agree that you have sought to have senior members of the Labor Party have meeting with Mr Huang?---Yes.

Part of your value in the Labor Party as at 2015 was the fact that you were close friend with Mr Huang, correct?---No. Nothing to do with it.

Part of your value was the fact that you were a prolific procurer of donations, correct?---Yes.

40 And one of the potential sources of donations was Mr Huang, correct? ---Yes.

And you were often the conduit through which arrangements could be made for Mr Huang to meet senior members of the Australian Labor Party. Do you agree?---No.

Never?---No, of course.

You have never made arrangements - - -?---I have but that is not become a significant part of why I am in Labor Party. I think that's what you're trying to picture it right, Mr Robertson?

Don't worry about what I am trying. Just focus on the question and answer the question. You accept, don't you, that you took a number of steps, at least in 2015, with the view of organising meeting between Mr Huang and senior members of the Labor Party, correct?---Yes.

10 And what we see in item 647 is an example of that, do you agree?---That is a follow up on an invitation by Yuhu to those two senior members and I just followed it up.

THE COMMISSIONER: That may be so but do you agree with the proposition just put, though, that this is an example of you putting together the Yuhu Group or Mr Huang to have this meeting with or attend an occasion whereby Mr Huang would have access to senior members of the Labor Party?---Mr Commissioner, I would like to answer the question but I think one thing that I really need to make sure - - -

20

No.--- - - - that attending event or meeting up (not transcribable) is very different.

No, don't, I asked you not to make speeches.---Sure.

We're just dealing with the question. Question by question. Is this not an example of you helping to facilitate the meeting between Huang and senior members of the Labor Party, namely Mr - well, leave it at that.---Yes.

30 MR ROBERTSON: And this wasn't the only example of steps of that kind that you had made, in other words, steps intended to arrange for meetings between Mr Huang and senior members of the Labor Party. Do you agree? ---Yes.

Can we go back two pages in this document, please, and can we have a look another example. I'm now going to draw your attention to item 636 where you're asking for Mr Clements' serious help in certain matters. Can you particularly have a look at item number 2 where you're asking Mr Clements for serious help to get Luke's campaign team, is that a reference to Luke  
40 Foley?---Yes, Luke Foley, yes.

Who was the state leader of the Labor Party at that time. Correct?---Yes.

To agree on his attendance to the Chinese New Year celebration call by Mr Huang. See that there?---Yes.

And I take it that's a reference to Mr Huang Xiangmo?---Yes.

And so is this another example of where you're seeking to facilitate meetings or occasions at which both Mr Huang is present and senior members of the Australian Labor Party?---So what makes it so significant is Mr Huang is present in any event at all.

So did you have some difficulty with my question?---Sorry, sorry, Mr Robertson, yeah. Yes, but this is one of - - -

No, no.---Okay.

10

THE COMMISSIONER: Let's go one at a time.

MR HALE: Can perhaps he read, perhaps he should just read the whole of the message before being given the opportunity (not transcribable)

THE COMMISSIONER: All right. Well, let's try it again.

20

MR ROBERTSON: So you accept, don't you, Mr Wong, that this is an example of you taking steps to arrange for Mr Huang to be at a meeting or event at which senior members of the Australian Labor Party are also present. Do you agree with that?---No. I can only say that I am following up from, from Mr Luke Foley to attend a Chinese community event. It doesn't matter which one, Mr Huang whoever it is, I will still do that because it's utmost important for our Labor Party to be seen to attend a Chinese community, and we're talking about the whole lot of Chinese community.

30

So this is an example of you making arrangements for a senior member of the Labor Party to attend a celebration or event at which Mr Huang is likely to be present. Do you agree?---Yes, agree with that.

Can we go back two pages now, please, and can you have a look at item number 626.---Yeah.

Now, is that a reference to the same event? You see an event of 1/3.---I assume they would be. I can't, I can't, I can't, I can't have recollection that - - -

40

It refers to ACPPRC. What does that stand for?---Sorry?

Just in the second line - - -?---That is the Australian Council of Peaceful, of whatever it's called, Peaceful Reunification of China in Australia.

The Promotion of Peaceful Reunification of China. Is that right?---Yeah, that's an organisation, yes.

And you know that to be a front organisation for the Chinese Communist Party in Australia.---No.

Correct?---No.

You don't know that?---It's never my knowledge.

That's not an organisation which to your knowledge is associated with the United Front Department of the Communist Party. Is that right?---No.

It's not something that is of your knowledge?---No.

10

You're not denying that there is such a relationship between the ACPPRC and the United Front Work Department. Correct?

MR HALE: Well, I do object to that question. He said he doesn't know and now he's being asked questions about events in which he says he doesn't know.

THE COMMISSIONER: I allow the question, Mr Hale.

20

MR ROBERTSON: You're not denying that the ACPPRC is an organisation connected with the United Front Department of the Communist Party of China. Correct?---So the word, yeah, sorry, Mr Robertson, associated is (not transcribable) of this association, because my understanding is all of these Chinese community groups, some of those groups have actually, do have sometimes communications direct with the organisation (not transcribable) in China. So if that is what, what you meant, yes. If not, then I've got no knowledge.

30

So are you saying you have knowledge of some connection between the ACPPRC and the United Front Work Department. Is that right?

MR HALE: Well, again, I object that. That's not what he was saying.

MR ROBERTSON: Well, I'm trying to clarify it.

MR HALE: What he was saying is if what you mean by - - -

MR ROBERTSON: Well, let's leave the witness to answer perhaps rather than Mr Hale.

40

THE COMMISSIONER: Withdraw the question then. Put it in a non-leading fashion.

MR ROBERTSON: What is your understanding of the relationship, if any, between the ACPPRC and the Communist Party of China?---I have no knowledge at all.

No knowledge of any relationship at all, is that right?---No.

Now, as well as seeking to have Mr Foley attend this function of 1 March, 2015 and the other function that we saw before the Yuhu Group function, you also agree that you made arrangements for Mr Huang and Mr Clements to meet at the Sussex Street head office on 7 April, 2019?---No, I didn't.

So you deny, do you, that you had any involvement in the meeting that Mr Clements and Mr Tim Xu both say occurred on 7 April, 2019, at about 2.00pm, is that right?---Yes, I deny it.

10

You deny that?---Yes.

Do you at least accept that during the course of the 7 April, 2019, you were in contact with Mr Huang Xiangmo?---I am in contact with him a lot of times.

And do you agree that shortly after 2.00pm, indeed, something like 2.15pm on 7 April, 2015, you had a discussion with Mr Huang by telephone?---I do not have any recollection of it but of course, if you have records, show me that that would be the case.

20

He called you up and he said, "I've just been to see Mr Clements," do you agree?---No, I don't recall that.

He called you up and said, "I've just seen Mr Clements and I've dropped off a bag of cash," do you agree?---I don't have any recollection of that at all.

Well, are you denying that such a thing happened or are you simply saying you don't have a recollection?---I don't have a recollection.

30

Can we go please to the CCR document. I'm showing you now, Mr Wong, some call charge records between the four individuals that you can see on the screen. One, Mr Huang Xiangmo otherwise known as Changran Huang. One is you, Ernest Wong, one is Mr Kenrick Cheah and one is Mr Jonathan Yee and I think you and I have discussed a document that looks similar to this earlier in the public inquiry, is that right?---Yep.

And I explained to you how a document of this kind works and do you still remember how the document works or would you like me to give you another explanation?---No, that's fine.

40

And I want you to focus your attention on 7 April, 2015, and noting here that we are looking at records from 3 April but there's no records prior to the 7<sup>th</sup>. We have the first communication between you and Mr Huang on the morning of 7 April, 2015, at about 11.54am. Do you see that there?---Yep.

Now, do you have any recollection of that telephone call?---I don't.

Do you recall Mr Huang calling you up and having a discussion of, it seems, 3.5 minutes or so on that morning?---Yep.

Do you have any recollection of a call to that effect?---No.

Are you denying that on 7 April, 2015, you had any discussion with Mr Huang concerning questions of cash or donations?---No. Oh, yeah, I deny that. I do not have any recollection of it at all, totally.

10 So you know - - -?---I don't even know.

You know that Mr Clements and Mr Xu say that they met with Mr Huang at 2.00pm on 7 April, 2015, correct?---Only from the transcript.

You know that they have said that on oath or affirmation before this Commission, correct?---Yes.

20 And are you saying you had nothing to do with setting up that meeting, is that right?---I didn't do it at all. I don't even know the, the meeting happened.

And you're also denying that you had any discussion with Mr Huang on 7 April, 2015, concerning the either anticipated or completed meeting between Mr Huang and Mr Clements at the Sussex Street office?---Yes, I deny that, yeah. I have no knowledge of it. Or I do not have a recollection, put it this way. No way did I, even if I am trying to refresh my memory.

30 But if it had happened, it's something you're likely to recall, wouldn't you? ---Not really though, no. We're talking about four years ago.

But four years ago with a bag of \$100,000 in cash being delivered to the Sussex Street office. That's a fairly extraordinary matter, isn't it?---Not really, though. Look, for me it's very much like I pass on for someone to pass on the money, he did it, he did, he did it at his own discretion and, and, and, and that's all. I don't need to concern in regards to how and what and, you know - - -

40 Do you agree that you discussed questions of donations from time to time with Mr Huang?---Not from time to time though, I may have mentioned it once or twice, but as I said before, whenever there is a fundraising, whenever Labor Party would like to have Mr Huang to donate to them, they will always go to see him themselves.

But you sought to encourage Mr Huang to make donations to the Australian Labor Party, do you agree?---Well, it depends on how you say encourage. I did mention a few times (not transcribable) support Labor Party that would be good.

You're a close friend of Mr Huang. Correct?---Yes.

You knew him to be a prolific donor at the time. Correct?---Yes.

Indeed to both sides of politics. Correct?---Yes.

And you were doing your best to encourage Mr Huang to make donations to the Labor Party - - -?---I don't need to.

10 - - - rather than for example to the Liberal Party. Correct?---I don't need to, because he's already doing it, and the Labor Party's already been seeing him, Sam Dastyari's always seeing him, everyone.

No, but - - -

THE COMMISSIONER: Were you, were you encouraging him to make donations to the ALP, to be a supporter by making donations?---It depends on how you say encourage. I did mention, "Oh, will you be able to help Labor Party - - -"

20

No, no, just answer my question. Focus on it, please.---Sure.

In your dealings with Mr Huang he, to your knowledge, being a substantial donor to the ALP, you encouraged him to be a donor.---Sure.

Is that right?---Um - - -

30 He'd already shown that he had the wherewithal and he was prepared to support the ALP by making large donations. That's right, isn't it?---Yeah, Mr Commissioner, yes.

And your interest in him, understandably, perhaps some might say, was to encourage Mr Huang to keep doing that. Is that right?---Not 100 per cent. Can I, can I just give you a bit of a - - -

No, no, no, no, no, no, no.---Because there is - - -

No, no, Mr Wong, please just focus on the question.---Okay, sure.

40 Just bear in mind that the way in which a witness answers questions, their demeanour and so on, it all is taken into account, and just to do yourself justice, rather than arguing the point or add long-winded answers, just try and focus on, to assist the Commission as best you're able to - - -?---Sure.

- - - to get to the point of the questions.---Sure.

It seems to me that you would accept that you recognised Mr Huang as having runs on the board, in the sense that he had been a substantial donor to the ALP.---Yes.

And that was an obvious benefit to the ALP to have such a person in support.---Yes.

Is that right?---(No Audible Reply)

10 Is that right?---Yes.

And part of your relationship with him which you had perhaps before, but certainly in 2015, was to encourage him to continue to be a supporter by making donations?---Yes.

20 Right. So that was, was it not, an integral part of the relationship both that you had with him, that is to say the benefit of that relationship so far as the Labor Party was concerned is that he would, he was a potential source in the future also of being a generous donor.---I don't see that as part of it because the Labor Party (not transcribable) they make their own relationship with Mr Huang, not through me.

But just - - -?---And I don't see him as person as such.

All right. In your dealings with Mr Huang and talking to senior members of the Labor Party became evident that you had an interest in him, I'm not suggesting exclusively, but substantially because he was a very wealthy man who was prepared to support the ALP financially.---Not really.

30 Not really?---Yeah.

He was, as was put to you a moment ago, a prolific donor to the ALP, wasn't he?---Yes.

To your knowledge. And you knew that in 2015, didn't you?---Yes.

40 That was one of the reasons why you saw benefits flowing from a relationship between ALP and Mr Huang so far as the future was concerned. Do you agree?---Yeah, yeah, yeah.

It was clear to you that from your discussions and interactions with senior members of the Labor Party, that they too saw him as potentially a great benefit to the Labor cause financially. Correct?---I cannot speak on their behalf.

No, but you - - -?---They never, they never mentioned that to me though.

But is there any other basis upon which ALP members had an interest in Mr Huang, apart from his money?---I don't think so. Yeah, I agree with that quite frankly.

Right. Well, then - -?---But no one actually explicitly telling me that is the only, the only, the only, the only reason or purpose of establish the friendship with Mr Huang.

10 I understand that. So insofar as you were an organiser or call it a facilitator if you like of meetings between Mr Huang and ALP senior officials, you were doing so because you wanted to assist and promote and continue this beneficial relationship that Mr Huang had established as a donor to the ALP. Is that right?---That'll be a part of it.

20 So that was why you were willing to be an organiser facilitator to arrange meetings between Huang and senior members of the Labor Party from time to time?---It's never my purpose or intention to facilitate meetings between Mr Huang or the senior, or the senior, senior members of the, of the party but whenever there is a request some of them, Labor Party say look, I would like to meet up with Mr Huang, yes, I'm happy to, to, to organise it. Mr Huang say oh, I've got a function where I need to invite certain people, I'm happy to facilitate. When I say facilitate, I usually go through the head office but I have never purposely trying to organise a meeting between those people with Mr Huang just trying to sort of like put them together in a sense.

30 So are you saying to me that you never took the initiative in trying to bring about meetings between Mr Huang and senior members of the Labor Party? ---Yes, you're right. Thank you, Mr Commissioner.

You never did that?---No.

Never ever?---No.

Is that right?---Yes.

40 MR ROBERTSON: Did Mr Huang or any of his companies including those in the Yuhu Group ever make any donations through you or are you saying that they were always made through other means perhaps through head office?---So the question is?

I thought you said a moment ago to the Chief Commissioner that on the question of donations those donations were never made through you, they're always made through other people. Do I have that right?---When you say make through other people, I don't know what that, what that really, really means. Usually they approach Mr Huang if they're doing fund raising for federal elections or whatever it is and then Mr Huang will donate and I

know that he is very cautious in regards to how he's going to disclose everything. So he is very sort of like, you know - - -

But I'm asking you to explain - - -?--- - - - very diligent so - - -

I'm asking you to explain what you said to the Chief Commissioner. I thought you said – maybe I have it wrong – I thought you said donations are not made through me, they're made through other people. Is that right?  
---Donations were never made through me. When you say through, what,  
10 what, what that means?

Well, arranged by you and correspondence through you. Matters of that kind.---No. (not transcribable) it's not through me as such.

Well, do you at least agree that at least for the federal campaign you've described hundreds of thousands of dollars from the Yuhu Group as being done through you?---No.

You've never said that before?---It all depends on when you say done  
20 through me. In the sense there have I approached Mr Huang when there is a fundraiser and say look, will you be able to support, and then he will do the right, the right way of channel of donating (not transcribable) through me I, I really, I don't really quite get what you try - - -

I'm using your – I'm trying to understand your phrase. I thought you said to the Chief Commissioner - - -?---Approach. I said approach. I keep on saying approach, yeah.

I thought you used the phrase donations through you. Have I got that  
30 wrong, have I?---Probably, probably my English is not, is not that good I suppose, Mr Robertson.

Well, do you at least agree - - -?---But if you keep on saying - - -

Do you at least agree that you have described in the past hundreds of thousands of dollars of donations from Yuhu Group as being made through you?---No.

You've never said that before?---No.  
40

Document 14, please. I'm going to show you an email from you to Mr [sic] Holly Huang. She was your assistant in 2014. Correct?---(No Audible Reply)

Is that right, Mr Wong?---(No Audible Reply)

Is that right, Mr Wong that - - -?---Yes, yes.

- - - Ms Huang was your assistant?---Yes.

And do you agree that in 2014 - - -?---No, that's, no, no, no, that is not my assistant. Holly Huang works in Yuhu, Yuhu Group.

I'm so sorry. I was getting my Huangs mixed up.---Yeah.

Holly Huang from the Yuhu Group, she was part of that organisation. Is that right?---Yeah.

10

And you said to her, to the Yuhu Group you believe that two donations amounting to it seems \$200,000 were made through you. Correct?---Yes.

And you're encouraging them to ensure that a declaration form has been filed. Correct?---Yes.

So you would at least have to accept that you had some role in seeking to procure donations from the Yuhu Group entities for the benefit of the Labor Party. Do you agree?---Yes.

20

And we see on the screen an example of performing that very role, correct? ---Yes.

I tender the document on the screen, email from Ernest Wong to Holly Huang, 27 November, 2014, 6.34pm.

THE COMMISSIONER: Yes. The email so described will become Exhibit 349.

30

**#EXH-349 – EMAIL EXCHANGES ON 27 NOVEMBER 2014  
BETWEEN ERNEST WONG AND HOLLY HUANG REGARDING  
YUHU GROUP DONATIONS**

MR ROBERTSON: And at least part of the reason why you would seek to procure senior members of the Labor Party to attend events at which Mr Huang was present was to give some respect to Mr Huang, would you agree?---Most of the time I follow up, there will be an event where we will have community members there. I think that is the most important part of getting out leader to be there.

40

Sorry, does that mean you agree or you disagree?---Yeah, agree.

And part of affording respect to Mr Huang is in the hope that he will donate more to the Labor Party that, for example, to the Liberal Party, do you agree?---No.

It's got nothing to do with that at all, is that right?---It's not, it's never my purpose.

So it's never your purpose to seek to have senior members of the Labor Party attend a particular event with a view to effectively getting in front of the Liberal Party so that Mr Huang can see the respect given by the Labor Party rather than the Liberal Party, is that right?---No, no. To make sure that the Labor Party will be seen to be more - - -

10 Mr Wong, can you just focus on the question, please. Can we go back to the Clements extraction report, please, page 228. And what I'm going to suggest you is that you said to Mr Clements something close to the opposite of what you've just said to this Commission. If you have a look towards the bottom, item 629, do you see there's another message that you're sending to Mr Clements regarding the New Year event on the 1<sup>st</sup> of the 9<sup>th</sup>, 2015, and note the last line, "The Libs are all over it." Do you see that there?---Yep.

20 And the reason you're saying, "The Libs are all over it," is that what you're seeking to procure is for senior members of the Labor Party to show respect to Mr Huang with the view that ultimately he will donate more to the Labor Party rather than giving a chance for the Libs to be all over it and for him to donate more money to them, correct?---No, that's wrong, that's wrong. When I say the Libs are all over it - - -

No, just focus on the questions, otherwise we're going to be here for a long time. Can we go back to the question of forms, please. In fact, before we do that, I tender the Clements telephone extraction report excepts the subject of this examination with a report creation time 17 October, 2019, 12.49pm.

30 THE COMMISSIONER: Yes. I think we marked the pervious document as 349. Yes. The extraction report referred to will become Exhibit 350.

**#EXH-350 – FURTHER EXCERPT FROM JAMES CLEMENTS' MOBILE PHONE EXTRACT REPORT PAGES MARKED 1 AND 223-233**

40 MR ROBERTSON: And next I tender the document entitled CCRs, 3 April to 9 April, 2015, between Huang, E. Wong, Cheah and J. Yee.

THE COMMISSIONER: The CCR records as described will become Exhibit 351.

**#EXH-351 – CALL CHARGE RECORDS OF COMMUNICATIONS BETWEEN HUANG, E. WONG, CHEAH AND J. YEE BETWEEN 3 APRIL 2015 AND 9 APRIL 2015**

MR ROBERTSON: Now, back to the forms associated with the 12 March, 2015 event. As I understood your evidence last time, you got the forms in a bag and it was your job to reconcile those against the spreadsheets and the like that you had maintained in your office, is that right?---Yes.

And is that still your best recollection of what happened, the forms come back to your office for that reconciliation process to take place?---Yes.

10

How did those forms then get to ALP head office or to some other place?  
---That should be collected on the night by the volunteers and then they took it back and either they will email them to me or they give it to me or I will probably grab those copies myself, yeah.

So just to be clear, you had all of the forms on, if not 12 March, 2015, then within a couple of days of that occurring, is that right?---When you say forms, you are telling about those forms that they signed?

20

I'm talking about disclosure forms.---No, no, no, no, no. Disclosure forms usually will be in head office and then Kenrick or someone else will give me a list of those people who had already signed or who have already sort of like paid or not paid. So that's how we reconcile.

30

Well, I thought you told us last time that you took back with you a bag containing disclosure forms and a few other forms as well and that's what you used to do your reconciliation process. Is that not right?---I would, yeah, you're probably right in saying that but then when I understand say forms at the time, I probably did not have a clear mind in regards to whether I'm talking about the disclosure forms or just the spreadsheets that they have signed, because we've got spreadsheets at the, in the night for the volunteers to go through the tables and tick off those who are, that have paid or not paid.

But you'll remember, Mr Wong, we discussed both of those two kinds of forms, and you told us both that there was reconciliation type forms of the kind that you're now describing - - -?---Yes.

40

- - - and disclosure forms as well. Do you remember we discussed that when you first gave evidence in this public inquiry? Do you remember?  
---Not really, though, but, you know, if you say so, that would be the case, yes.

Well, but I'm trying to understand what's your recollection now? Are you saying that it's quite possible that you didn't have the disclosure forms in your office?---I may not have the whole bunch of those disclosure forms as such.

Well, in fact, in relation to the 12 putative donors the particular focus of this investigation, those forms didn't exist until after the Chinese Friends of Labor event, do you agree?---When you say all of them or just a few of them?

All of them. All of them. None of them existed.---No, no, they were, they definitely, those forms being signed or emailed to the head office for them to do sort of like a reconciliation before the dinner.

10 None of those signed forms existed until the 30<sup>th</sup> of March, 2015, do you agree?---No, I don't agree.

Do you at least have a recollection or knowledge as to how the disclosure forms found their way to the Sussex Street office?---No, I don't.

But I think you're still saying your best recollection, tell me if I'm wrong, I think you're saying that your best recollection is that the disclosure forms were in the second of the two bags that you were given on the night, is that right? Or is that not - - -?---Some of them. I said that I only receive a bag  
20 of some of those forms. When I say that, I didn't even have a clear picture that, Mr Robertson, you want to measure the whole lot from, from, from one to, to, to 600 or a few of those. My recollection (not transcribable) a few of them.

But it was your job to reconcile these forms against your payments register, correct?---But initially what, what, what I did was actually reconciling what they have ticked off on the spreadsheet on the night, who have paid, who attended, who have not paid.

30 Do you agree that on 17 April, 2015 you told Mr Cheah to do what I'll call a switcheroo? In other words, to replace two forms that he had with two other forms.---No.

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

Do you at least agree that on 17 April, 2015, you had a meeting with Mr Cheah where you discussed matters relevant to the Chinese Friends of Labor event on 12 March, 2015?---I have no recollection of that meeting at all. I never denied it, but I do not actually have recollection of that.  
40

When you say "that meeting", do I take it that you've looked at Mr Cheah's evidence concerning a meeting on 17 April, 2015?---Yes. Yes. Yes.

And you're saying you simply don't have a recollection of that meeting at all.---No.

But I think you're saying you're not denying that such a meeting took place.---I'm not denying. Of course if there are meetings, there are meetings. But I don't know if that meeting really occurred at the time.

Now, is it right to say that whilst you were a member of the Legislative Council you kept an electronic diary?---Yes.

10 And so when you arranged meetings with people or when they were arranged by your office on your behalf, ordinarily an appointment would go in your diary as to that particular event, is that right?---Yes, yes.

And so would you agree that your electronic diary gives at least a reasonable indication as to whether you were likely to have had a meeting with a particular person on a particular day?---Yes.

Are you agreeing with me?---Yes.

20 Can we go, please, to volume 3A, page 167. So let's have a look at your diary, Mr Wong. You'll see there an appointment in your diary, 17 April, 1400 hours, being 2.00pm, with organiser Ernest Wong, but you say, "Coffee with Kenrick." Do you see that there?---Yes.

And if you have a look at the red text towards the top of the page, do you see it says, "Meeting created, 17 April, 2015, 11.12am"? Do you see that there?---Yep.

30 Now, does that assist with your recollection, namely that you made contact with Mr Cheah during the course of the morning of 17 April, 2015 and asked to have coffee with him at Parliament House?---No, I did not have recollection but if that say there, that must be the truth. So, yeah, agree with it but I don't have recollection.

Do you agree that the reason that you wanted to have coffee with Kenrick was to discuss matters associated with the Chinese Friends of Labor dinner of 12 March, 2015?---Not my recollection. I can't remember what we discussed. We meet a lot of times, we discuss a lot of things.

40 Do you agree that in advance of the 17 April, 2015, Mr Cheah had all of the signed forms that you knew of – I mean the disclosure forms, all of the signed disclosure forms that you knew of in relation to the Chinese Friends of Labor event of 12 March?---I'm not aware of it.

You're not aware whether or not he had it or not?---No, I'm not aware.

Well, you at least accept, I think, that on the 30<sup>th</sup> of March, 2015, again something we've discussed before, you sent forms to be filled out, both to Dr Leo Liao and to Mr Jonathan Yee, correct?---Yes.

You did that on the 30<sup>th</sup> of March, 2015, correct?---Yes.

And you received back from Mr Liao two forms the next day, on the 31<sup>st</sup> of March, 2015?---Yes.

Do you agree that the first time that you sent those forms on to head office was 17 April, 2015?---Yes.

10 And do you agree that you told Mr Cheah, “These are forms associated with the dinner of 12 March, 2015”?---Yes. That would be the conversation, yes.

And do you further agree that you told Mr Cheah that those two forms, the ones from Dr Liao and from Mr Tong were to replace forms from Mr Valentine Yee and Harbour City Group?---No, I did not suggest that it’s going to replace whatever forms it is but those are the two forms where it’s my mistake, I admit it, that I forgot to it on to, because those are the forms where I have given to, I, I, gave to Dr Liao a long time before, even before the dinner but then I just sort of like mislocated them, mislocated them because I was so tied up with a lot of other, other, other commitments.

20

But you agree, don’t you, that you sent an email to Dr Leo Liao on 30 March, 2015, asking him to fill in two forms, correct?---Yes. I was made alert - - -

30 And do you agree that the first time you received any signed forms from either Dr Liao or Mr Tong, ostensibly from those, was when you received it by email on 31 March, 2015?---I don’t think that would be the first time I received it but then because I was made alert by the head office that those two, those amount of money that I put in, found out they have donated money, they have not received form so that’s why I’m sending a request to Dr Liao again.

So just explain that to me. So you communicated with head office at some point to say, what, that Dr Liao and Mr Tong were donors in connection with the Chinese Friends of Labor event, is that right?---Yes.

Who did you communicate that to?---I can’t remember. I probably Kenrick Cheah.

40 And when did you do that?---I can’t remember the date. I won’t have - - -

You didn’t do this, did you?---Of course I did.

The first time you asked for form from anyone associated with Wu International was 30 March, 2015, is that correct?---No, not at all. No, no.

You called Mr Alex Wood on the morning of 20 April, 2015, correct?  
---Well, I can't recall but the of course you must have the record there, then of course that would be the case.

Well, you asked Mr Wood to arrange for two of his employees to sign forms saying that they had made a donation even though they had not made a donation?---No. Definitely not. Dr Liao had always been the one who approached me a long time ago, before the dinner, that he was going to attend the dinner. But at the end of the day he said he wouldn't be able to  
10 but he's happy to donate.

What was your relationship with Dr Liao while he was alive? Was he a friend or was he a business associate? What was your relationship?---It's between that though. Yeah, yeah, friends but, yeah, not close friends. We don't see each other very often. We don't do a lot of things together but then we do discuss some kind of business or some kind of community relations type of stuff.

THE COMMISSIONER: Do you know how he got involved in this  
20 donations dinner in March of 2015?---Yeah. I think that was in February after I sent out email, whatever it is, he, I think I met him once, I, I met him in certain occasion where he said "Look, I am going to, I'm happy to take a table." I said, "Fine, good." So I gave him a form to fill in. But later on, when I am, when I saw him again he said, "Look, I won't be able to get enough people to come to but I am happy to donate."

Could it be the position that you in fact prompted him to become a donor at the dinner?---When you say prompt, so ask him to be the donor?

30 Initiate the topic.---No, no. I didn't even suggest it.

You think, you say, what, out of the blue Dr Liao said, "Oh, here there's a dinner coming up, I'm going to donate to it?"---Probably he received - - -

How did it happen?---Yeah, sorry, yeah.

How did it happen, how did it happen that the late Dr Liao got involved at all in this Chinese dinner fundraiser?---Well, probably because he received an email from me - - -

40 No, not probably, not probably, I'm - - -?---Look, I - - -

I'm seeking to draw on your recollection of events - - -?---Okay.

- - - about which you have no doubt given a great deal of thought concerning this donations dinner. How did Dr Liao, the late Dr Liao, get involved at all in it?---He was aware of the dinner, so when we met he told me that he would like to attend.

Did you tell him about the dinner and the date it was being held?---That was what I trying to, to say, I probably sent him an email, because I sent a general email to all those contacts that I know I have.

Okay. So the likelihood is that he came to hear about the dinner through some email that you, or circular email - - -?---Some emails.

10 - - - that you sent. Is that right?---And when I saw him, I said, "Look," - - -  
Is that right?---Yes.

That's the likelihood?---Yeah, likely.

So the original source of his interest, if you call it that, so far as we can reconstruct, was your circular email to him and others about the dinner. Is that right?---Yes.

20 Okay. And then after that, or firstly do you remember when the circular went out?---No, I would not have any recollection.

March or February or earlier?---Probably February, probably February.

Probably February.---Yeah, February, yeah. Should be February.

And then did you have your first discussion with him about this dinner and donating to the dinner, sometime in February, do you think?---In February, yes.

30 Right. And where did you have the discussion with him, was in his office or was it - - -?---No, no, probably in an event. I don't even know where his office was at the time, he was a consultant.

So where do you think it was likely to have occurred?---At an event or a dinner.

Sorry?---A dinner, a dinner or an event.

40 A dinner, another dinner?---A dinner, yeah.

A different dinner?---A different dinner, yeah.

I see. So how did that come about, you, firstly, do you remember what dinner it was likely to have been?---I wouldn't be able to have any recollection, but - - -

Was it a fundraiser or - - -?---No, no, no. He's always organising dinner, for us to meet up with some of the Chinese delegation.

Okay.---Yeah, and probably that would be one of those.

All right.---Definitely not a (not transcribable). He didn't usually organise (not transcribable) dinner.

More a social type of dinner?---Social type, yeah.

10 So you struck up a conversation with him at that dinner, did you?  
---Yes.

And did the conversation turn to the Friends of Labor dinner that was due to be held in March?---Yes.

All right. And what did you say to him?---I said, "Look, we've got a dinner coming up, will you be able to support," or I have already sent him an email, I can't remember, that's the conversation, probably he then mention, oh, I know they've got a dinner, I'm happy to support, to buy the table.

20 So that's how it came about really the first time he, you say, committed to becoming involved in this dinner?---Yes, yes.

Through you?---Yes.

Discussions with you?---Yes.

I see. Yes.

30 MR ROBERTSON: Do you deny that during the course of a meeting with Mr Cheah on 17 April, 2015, you said that there was some error associated with the forms associated with the 12 March, 2015 Chinese Friends of Labor event?---I do not recall exactly what I said, but I'm pretty sure, one thing that I told him, that there are two forms that needs to be, that needs to be submitted where they're still sitting in my office without presenting to you.

40 But you went further and said these two forms have to replace two other forms. Do you agree?---No, I'm not aware of any of those to replace other forms or whatever it is.

Does that mean you're denying the proposition that I put to you?---Yes.

Is that a convenient time, Chief Commissioner?

THE COMMISSIONER: Is that a convenient time?

MR ROBERTSON: Yes.

THE COMMISSIONER: Very well. Mr Wong, we're going to adjourn for the luncheon break. We'll resume at about 2 o'clock.---Sure.

MR ROBERTSON: Can I deal with one formal tender just before you adjourn?

THE COMMISSIONER: Yes.

10 MR ROBERTSON: I tender page 167 of volume 3A of the public inquiry brief being the calendar entry of 17 April, 2015, 2.00pm entitled, Coffee with Kenrick, spelt K-e-n-r-i-c-k.

THE COMMISSIONER: Yes, that record will become Exhibit 352.

**#EXH-352 – ERNEST WONG PARLIAMENTARY CALENDAR  
ENTRY ON 17 APRIL 2015 RE MEETING WITH KENRICK  
CHEAH**

20

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Yes, thank you. All right. I'll adjourn till 2 o'clock.---Thank you, Mr Commissioner.

**LUNCHEON ADJOURNMENT**

**[12.44pm]**