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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC  
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION AERO

Reference: Operation E18/0093

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 17 SEPTEMBER, 2019

AT 10.00AM

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

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

MR ROBERTSON: Chief Commissioner, can I apologise for the delay in commencing. There was a technical difficulty concerning the screens. We've then obtained a workaround. Can I note that for those at the bar tables behind me, they will see a slightly different feed to what they've seen in previous days but they should still nevertheless be able to see the documents that I take witnesses to. If that causes any particular difficulty, if they can draw that to my attention because my screens will appear differently to those, but if that causes any practical difficulties, if they could please be drawn to my attention.

10

THE COMMISSIONER: Very well. We'll see how we go and if there's any problems, those present should feel free to raise them.

MR ROBERTSON: Thank you, Chief Commissioner. In terms of the program for today, I will first call Mr Lei Mo. I will then call Mrs May Ho Yee. There's then been an amended program published for the remainder of the week and I expect to maintain that program at least as matters presently stand. A program for next week will be published as soon as that's available. That's likely to not be before Thursday.

20

THE COMMISSIONER: Very good. Thank you.

MR ROBERTSON: I call Lei Mo.

THE COMMISSIONER: Good morning. Yes. Would you mind just sitting there. I might just get your details on the record. Would you mind stating your - - -

MR YAU: My name is Roy Yau, surname spelt Y-a-u.

30

THE COMMISSIONER: We might just have – do you take an oath or an affirmation?

MR YAU: I'll take an affirmation.

THE COMMISSIONER: Thank you.

**<ROY YUN TSZ YAU, affirmed**

**[10.14am]**

40

THE COMMISSIONER: Thank you.

MR RAMRAKHA: Chief Commissioner, Mr Mo will take an affirmation and I'll be seeking a declaration for him, pursuant to section 38.

THE COMMISSIONER: Thank you, Mr Ramrakha.

MR RAMRAKHA: Thank you.

<MR LEI MO, affirmed

[10.14am]

THE COMMISSIONER: Just take a seat. Would you state your full name?---\*Lei Mo.\*

Mr Lei Mo, you have had explained to you the provisions of section 38 of the Independent Commission Against Corruption Act, I understand?  
---\*Yes.\*

10

I will shortly make a declaration, but you must understand that you still are required to answer all questions truthfully.---\*Yes.\*

And if you're required to produce any documents or other things, then you must do so.---\*Yes.\*

20

The making of a declaration under section 38 of the Independent Commission Against Corruption Act means that the evidence that you give here today cannot be used in other proceedings in the future against you, save for one exception.---\*Yes.\*

The exception is that the evidence can be used against you in relation to any prosecution, if there were any, for an offence under the Independent Commission Against Corruption Act, including in particular an offence of giving false or misleading evidence. The penalty for giving false or misleading evidence on conviction can be imprisonment for up to five years. You understand what I'm saying?---\*Understand.\*

30

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

40

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

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Mr Mo, did you donate \$5,000 to the Australian Labor Party in 2015?---\*No.\*

Did you donate \$5,000 to Country Labor in 2015?---\*No.\*

10 Did you buy a seat or a table at the Chinese Friends of Labor event on 12 March, 2015?---\*No.\*

Did you attend the Chinese Friends of Labor event on 12 March, 2015?---\*No.\*

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

Have you ever been a member of the Australian Labor Party?---\*No.\*

20 Do you know what Country Labor is?---\*No. I don't know.\*

Did you sign a document that said that you had contributed \$5,000 in connection with the Chinese Friends of Labor dinner in 2015?---\*Yes.\*

Can we have on the screen please, page 12 of Exhibit 152. Mr Mo, is the document that you can now see on the screen, the document that you said that you signed a moment ago?---\*Yes.\*

30 Did you sign one document that looks like the one on the screen or more than one?---\*I can't remember.\*

You can remember signing one but you don't remember signing more than one, is that correct?---\*Correct.\*

The document on the screen, did you sign in the two places where we can see a signature?---\*Yes.\*

40 Is the handwriting that says "Lei Mo" and has an address and telephone number, your handwriting or someone else's handwriting?---\*That's not what I wrote.\*

It is not your handwriting, correct?---\*No.\*

Do you recognise whose handwriting it is?---\*I can't.\*

Did you put the diagonal slash across the page or did someone else do that?---\*Not me but I don't know who crossed it.\*

Did you write the \$5,000 figure that you see towards the top right-hand corner?---\*No.\*

What about the tick that appears near the words, "Tickets – at \$5,000 for VVIP table"?---\*No.\*

Do you know who put that tick on the form?---\*I don't know.\*

10 Who gave you this form to sign?---\*Jonathan.\*

When you say Jonathan, you mean Jonathan Yee, is that right?---\*Yes.\*

And you know Jonathan Yee to be the General Manager of Emperor's Garden restaurants, is that right?---\*Yes.\*

You used to work at Emperor's Garden restaurant, is that correct?---\*Yes.\*

20 What was your role when you worked at Emperor's Garden restaurant?  
---\*Manager.\*

And was that the manager of the yum cha and seafood restaurant?---\*Yes.\*

And is that the one on the corner of Dixon Street and Hay Street?---\*Yes.\*

When did you stop working for the Emperor's Garden restaurant?---\*From between August to October in 2016.\*

30 THE COMMISSIONER: Can I ask you, how long did you work for Emperor's Garden?---\*Close to eight years.\*

Close to?---\*Eight years.\*

Eight years.

MR ROBERTSON: And you worked closely with Jonathan Yee during that time?---\*Yes.\*

Would you regard Jonathan Yee as a friend?---\*Yes.\*

40 A close friend?---\*Friend.\*

When you were given the form that we'll put back on the screen, of you remember what, if anything, was already written on it?---\*No.\*

When it was given to you, was your name and address written on it?  
---\*No.\*

Do you know whether the \$5,000 was written on it when you received the document from Jonathan?---\*No, it was blank.\*

And so did you then sign a blank form, is that right?---\*Yes.\*

And then you gave it back to Jonathan, is that right?---\*Yes.\*

Did Jonathan tell you why he wanted you to sign the document that you can see on the screen?---\*He said it was to help the Labor Party.\*

10

THE COMMISSIONER: Where did you have this discussion with Jonathan about the form? Where were you?---\*In his office.\*

I want you to tell us exactly what he said to you.---\*He said, "We have the election now. Can you donate some money, help to, can you help by signing this form?"\*

And did he say anything else?---\*No.\*

20 Did he explain what the form was?---\*No.\*

Did you read the form?---\*No, well, I didn't really read it.\*

So you just signed it?---\*Yes.\*

MR ROBERTSON: But you knew it was a form about the Chinese Friends of Labor NSW Labor Chinese Launch when you signed it?---\*I don't know what event that was. I knew it was something to do with the Labor Party, and I just signed it.\*

30

THE COMMISSIONER: Why would you sign it if you didn't know what the form was really all about?---\*Well, firstly, it was because back in 1988 I remained here because of the Labor Party, and also I signed it because Jonathan was my boss, and I didn't want to get on the wrong side of him, so I, he said, I thought, just by signing this form, I would helping the Labor Party, so I just signed it.\*

MR ROBERTSON: Why did you think it would help the Labor Party to sign this form?---\*He asked me, he asked me to help the Labor Party, and he asked me to sign this form. So I just signed it. I didn't think too much.\*

40

But did Jonathan explain why it would help the Labor Party to sign this form?---\*No.\*

You knew, though, that by signing this form, you were saying that you had made a donation, even though you hadn't made a donation, correct?---\*No, I, I didn't make any donation.\*

But by signing this form, you were telling people that you had made a donation even though you hadn't made a donation, do you agree?---\*Yes, I agree.\*

But you signed it anyway because you thought it would help the Labor Party and help Jonathan, is that right?---\*Yes.\*

10 But you knew that you were covering up the fact that someone else had donated money and not you, is that right?---\*Yes.\*

Did Jonathan tell you at any point who the true source of the money was for the donation that you were covering up?---\*No.\*

Do you know who Mr Huang Xiangmo is?---\*Yes.\*

Did you know who he was in 2015?---\*He often attended parties in, in our restaurant and I always read about him on the newspaper.\*

20 What line of work did you understand Huang Xiangmo was in, in 2015?  
---\*Real estate.\*

Do you know whether Huang Xiangmo and Jonathan Yee have any relationship?---\*They, they were good friend.\*

How do you know they were good friends?---\*Because they always attended parties together.\*

30 And you saw Mr Huang Xiangmo at Emperor's Garden restaurant on a few occasions, is that correct?---\*Yeah, always, often, yeah.\*

It was regular to see Huang Xiangmo at Emperor's Garden restaurant, is that right?---\*He often came to parties and also dinner.\*

Do you know who Ernest Wong is?---\*Yes.\*

Who is Ernest Wong?---\*He is, he is a member of the Upper House.\*

40 Would you see Ernest Wong at Emperor's Garden restaurant regularly?  
---\*Yes.\*

Do you know whether Ernest Wong and Huang Xiangmo are friends?---\*I don't know but they always attended functions.\*

So you've seen both Huang Xiangmo and Ernest Wong at functions, is that right?---\*Yes. Yes, often.\*

And have you seen them talking together at functions?---\*Yes.\*

Do you know what the relationship is, if any, between Jonathan Yee and Ernest Wong?---\*Can you repeat the question please, sorry?\*

Do you know whether Jonathan Yee and Ernest Wong are friends?---\*Yes.\*

How do you know that they are friends?---\*They always attended Labor Party's events together. Also Labor Party's press conferences, they, they always attended events together.\*

10 Did Ernest Wong and Jonathan Yee appear to you to be good friends?---\*I think so.\*

Can we have back on the screen the form, Exhibit 152, page 12. Mr Mo, in the bottom right-hand corner of the form, can you see a date 30/3/2015? ---\*Yes.\*

And did you sign this form on or about 30 May, 2015?

20 THE INTERPRETER: Sorry, May?

MR ROBERTSON: Sorry, I did say May. I'll withdraw the question and do it again. Mr Mo, did you sign this form on or about 30 March, 2015? ---\*I can't remember the correct date.\*

But is it right that it was either on 30 March, 2015, or sometime around 30 March, 2015?---\*I really can't recall.\*

30 Did you receive any tax invoices or receipts from the Australian Labor Party within a few weeks of signing the form that was on the screen?---\*I, I can't recall. I, I think I, I didn't, I didn't receive it.\*

So your best recollection is that you did not receive a tax invoice or receipt within a few weeks of signing the form, is that right?---\*I think so.\*

40 And can we have page 11 of Exhibit 152 on the screen, please. Mr Mo, I'm putting on the screen an invoice dated 9 April, 2015. Is it right to say that you don't recall receiving this invoice within a few weeks of signing the form that we discussed a moment ago?---\*I don't have any recollection at all about this document.\*

Do you recall ever receiving a document like the one we can see on the screen, even if it was at a later time?---\*I am not too sure but I, I think I, I haven't received or I didn't receive this document.\*

And can we now go to page 31 of the same exhibit, Exhibit 152? Mr Mo, I'm now going to show you a similar document, but this time in the heading it says Country Labor rather than Australian Labor Party NSW. And do I take it that you didn't receive a tax invoice that looks like the one on the

screen now from Country Labor?---\*I don't have any recollection about this either.\*

Can we now please go to the Electoral Commission bundle, and go to page 9?

THE COMMISSIONER: Just before we go to that document, Mr Mo, you said that you had seen Mr Wong at events at the restaurant. I think you call them parties, is that right?---\*Yes.\*

10

And do you recall whether one or more of these parties that you saw Mr Wong attend at the restaurant, whether they were Labor Party gatherings or fundraising activities?---\*Ernest Wong would attend different events. They could be some ethnic events from some ethnic associations, or they could be Labor Party events, or – he, he attends almost every events.\*

20

And in relation to parties held at the restaurant which seemed to be Labor Party events, that is, events at which Mr Wong attended, do you recall seeing at those events present Mr Jonathan Yee, who was a supporter of the ALP, Mr Wong who was then a member of the Upper House, and Mr Huang also attend such parties?---\*Jonathan and Ernest were there, I'm, I'm sure. But whether Huang Xiangmo attended, I'm not too sure about that.\*

You had developed a type of friendship with Jonathan, is that right?  
---\*Yes.\*

And did you know through Jonathan that Mr Huang Xiangmo was said to be a very wealthy man?---\*He is a very rich, he is a very rich man.\*

30

And did Jonathan discuss with you his relationship with Mr Huang Xiangmo?---\*No.\*

Did you know through Jonathan, however, that he was a friend of Mr Huang Xiangmo?---\*I don't know if they are friend but I know that they have attended parties together.\*

At the Emperor's Gardens?---Yes.

40

And do you know, through discussions with Jonathan Yee, whether Mr Huang Xiangmo is a supporter of the ALP?---\*That, that, that he didn't tell me, but the three of them, they would attend parties as such but I am not too sure about the relationship between the three of them.\*

Yes, thank you.

MR ROBERTSON: So just to be clear, you've seen the three of them – Huang Xiangmo, Ernest Wong and Jonathan Yee – attending parties together, is that right?---\*Yes.\*

Has that happened many times or just one or two times that you have seen?  
---\*A couple of times.\*

Can we go to the Electoral Commission bundle, please, at page 9. Mr Mo, on the screen is a document called Disclosure of Political Donations for a Major Political Donor for the Year Ending 30 June, 2015. If that your signature towards the bottom of the page?---\*That signature in the bottom is my signature.\*

10

Near and above that signature, is it your handwriting or someone else's handwriting?

THE INTERPRETER: Sorry, can you repeat that?

MR ROBERTSON: Above the signature, is it your handwriting or someone else's handwriting?---\*Someone else's handwriting.\*

Do you recall whose handwriting it is?---\*I don't know.\*

20

It is not your wife's handwriting?---\*I, I can't, I can't tell from that but I can't rule that out either.\*

The email address that appears on this form – I withdraw that. I need to show him an unredacted version. Just bear with us for a moment, Mr Mo. In fact, I might do it this way. Can I just approach the witness, Chief Commissioner?

THE COMMISSIONER: Yes.

30

MR ROBERTSON: Mr Mo, I'm about to show you an unredacted version of the document that was on the screen.---\*That's my wife's email.\*

So Mr Mo, I just showed you an unredacted version of the document on the screen, and it had an email address, and that was your wife's email address, is that right?---\*Yes.\*

Did you decide to sign the document that is now back on the screen, or did someone suggest that you should sign it?---\*For this type, for this type of documents, usually Jonathan would ask me to sign this type of documents. But, and also, because my English is not very well, so in answering that questions, I would usually ask my wife to help.\*

40

So is it right to say that Jonathan Yee asked you to sign documents like the one you can see on the screen?---\*That I'm not too sure.\*

And is it right that your wife often takes care of things like documentation in your household?---\*Yes.\*

So are you saying it is possible that Jonathan gave you this form to sign, but you are just not sure whether that's right, do you agree?---\*Yes.\*

But when you signed this document, you knew it was a legal document, correct?---\*I didn't know.\*

10 THE COMMISSIONER: Could I just clarify, did you receive the document or the original of the document on the screen in the mail, or did somebody bring it and give it to you?---\*I'm not, I can't recall.\*

Did you ever have any discussion with Jonathan Yee about the document that's on the screen?---\*For all the documents that are related to donations, I, I would usually ask Jonathan.\*

20 MR ROBERTSON: So did you ask Jonathan about this particular form that we can see on the screen?---\*I can't recall, but for any documents to do with election, before filling, before filling the document, I would usually ask him, I would usually go to him.\*

And do you remember whether Jonathan said to you anything about this particular document that's on the screen?---\*I can't recall.\*

Do you remember whether the handwriting that is on this document was on there when you signed, or do you think that that was added later?---\*Can, can I just, can I just clarify what you mean by your question?\*

30 When you signed the form that's on the screen, were the words Lei Mo at the top of the screen, or Mo Lei, and your date of birth and your address on the form or were those fields blank?---\*That, I can't recall, but the, the handwriting looks like my wife's handwriting.\*

Did your wife or Jonathan Yee or anyone else explain to you what this form was about?---\*Well, because I would have asked Jonathan about all the documents and Jonathan will have explained the documents for me.\*

Do you remember what Jonathan said to you about this document?---\*I can't remember.\*

40 THE COMMISSIONER: You became aware at some point that the Electoral Commission, whose name appears in the top right-hand corner of this form, was making inquiries into donations that had been generated at the Chinese Friends of Labor function on 12 March, 2015?---\*They, they, they had sent me two documents to ask me to answer some questions and to produce some documents.\*

You realised that the Electoral Commission were carrying out an investigation or inquiry?---\*Yes.\*

Did you ask Jonathan Yee to explain to you what he understood the investigation or inquiry was about?---\*When the Commission sent me the letters, I would have taken the letters to Jonathan and Jonathan, I would ask him what should I do in relations to these letters and Jonathan would have explained to me what to do.\*

10 Were you concerned that you were being involved in the investigation or inquiry by the Electoral Commission?---\*Yes.\*

Did it worry you?---\*Yes.\*

And is that why you asked questions of Jonathan Yee to explain what was going on?---\*Yes.\*

MR ROBERTSON: And what did Jonathan say in response to your questions as to what was going on?---\*He asked me to go back to prepare some information.\*

20 We'll come back to the detail of that in a moment, Mr Mo, but before we do that, I'm going to show you the next page of the document that's on the screen and this page says that you made no donation in the year ended 30 June, 2015, that was not made at a fundraising function or venture. Is it correct that you made no political donations that were not made at a fundraising function or venture in the year ended 30 June, 2015?---\*Yes.\*

30 And if we could turn to the next page, please. This page says that you made no donations at a fundraising function or venture in the year ended 30 June, 2015. Is it correct that you made no political donations at a fundraising function or venture in 2015?---\*Yes.\*

Did you make any political donations to anyone associated with the Australian Labor Party in 2015?---\*I have made a donation of \$900 to some, to some organisation but the donation was made from my cheque book.\*

Who asked you to make that donation?---\*Usually the request would have come from Jonathan.\*

40 This particular request, was it from Jonathan?---\*I, I think so.\*

You don't remember anyone else asking you to make a donation to a political party in 2015?---\*No.\*

To whose benefit did you intend that donation to go to?---\*Well, at the time I thought as long as it was for the Labor Party, then it was okay.\*

But did you want it to go to a particular candidate or did you want it to go to the Australian Labor Party more generally?---\*To the Labor Party because I, I can't differentiate candidates.\*

But is it right that there was no particular candidate you wanted that donation to go to?---\*No.\*

You're agreeing with me there was no particular candidate that you wanted it to go to?---\*Correct.\*

10

Do you know whether you or your wife signed any form in relation to that donation?---\*Yes.\*

And did you or your wife sign a form in relation to that donation that we're discussing?---\*I, I signed a form, and my wife filled out a form for me.\*

But was that the form that you and I have already discussed, or was it a different form?---\*I think it was a different form.\*

20 So you recall a form that talked about a donation of \$900, is that right?  
---\*Yes.\*

Do you know who Chris Minns is?---\*No.\*

Is it right that you did not intend your \$900 to go to benefit Chris Minns?  
---\*Correct.\*

30 Can we go, please, to volume 3A, page 18 of the brief? Mr Mo, if you have a look towards the top of the screen, can you see a cheque that appears to be in a, from a joint account of Mo L and Yong Y F?---\*Yes.\*

Do you recognise the signature on that cheque?---\*That's my wife's signature.\*

Do you recognise the handwriting on this cheque?---\*The, the figure, and the numbers are my wife's handwriting. But in terms of what's up there, in the title, it's not my wife's handwriting.\*

40 So to confirm, it looks like the date and the words "\$900 only" and the figure "900/00" is your wife's handwriting, do you agree?---\*Yep, and the signature, and the signature too.\*

But the words "ALP Chris Minns" does not appear to be your wife's handwriting?---\*No.\*

Do you recognise whose handwriting that is?---\*I, I can't.\*

THE COMMISSIONER: Did you know who the person Chris Minns was at the date of the cheque?---\*No.\*

Had you ever heard of that name before as at the time the cheque was, the date of the cheque?---\*No.\*

MR ROBERTSON: And is it right that you and your wife intended to donate \$900 to the Australian Labor Party, but had no intention that it go specifically to Mr Chris Minns?---\*Yes.\*

10

Chief Commissioner, I tender the document on the screen being a page of copied cheques, including a cheque from Mo L and Yong Y F, of 8 March, 2015, being page 18 of volume 3A of the public hearing brief.

THE COMMISSIONER: Tendering the three cheques, in effect, or copies?

MR ROBERTSON: Yes. I think there may be four but we're zoomed into three.

20 THE COMMISSIONER: Yes. Exhibit 244, will be the copy of the three cheques, all addressed to ALP Chris Minns.

**#EXH-244 – PAGE OF COPIED CHEQUES INCLUDING A CHEQUE OF MO L & YONG Y F**

MR ROBERTSON: Go back please to the Electoral Commission bundle, now to page 15. Mr Mo, I'm now going to show you another version of a disclosure form to the Electoral Commission. Again, Mr Mo, the signature towards the bottom of the page in blue is your signature?---\*Yes.\*

30

And do you agree that you signed this document on or about 6 October, 2015, which is the date near your signature?---\*That I, I can't recall.\*

The handwriting on this document above your signature, is that your wife's handwriting?---\*It looks like it.\*

40 Did you remember who gave you this document to sign?---\*I can't, I can't recall.\*

You don't recall whether it was your wife or Jonathan or someone else?---\*I can't remember.\*

And if we then move two pages on in this document, and this document is similar to the last one you and I discussed but has some different handwriting in it. Do you recognise the handwriting on this page?---\*They look like my wife's handwriting.\*

And can you see that that refers to \$5,000 to ALP NSW and \$5,000 to Country Labor?---\*Yes.\*

Do you agree that when you signed this form, you were telling the Electoral Commission that you had donated \$5,000 to ALP NSW and \$5,000 to Country Labor?---\*Signing this for, yes.\*

10 But you agree that by signing this form, you were telling the Electoral Commission that you had donated \$5,000 to ALP NSW and \$5,000 to Country Labor?---\*At the time of signing this document, yes.\*

And do you agree that you were wrongly telling the Electoral Commission that you had paid, donated \$5,000 to ALP NSW and \$5,000 to Country Labor, because you had not donated those figures?---\*Yes.\*

20 THE COMMISSIONER: Is the handwriting “ALP (NSW)” and the handwriting “Country Labor” on the form on the screen, is that in your wife’s handwriting, or does it appear to be somebody else’s handwriting? ---\*I can’t be sure, but they look like my wife’s handwriting.\*

MR ROBERTSON: Why did you tell the Electoral Commission that you had donated \$5,000 to ALP NSW and \$5,000 to Country Labor when you told us earlier today that you did not donate those amounts?---\*For anything to do with the election, I would go and ask Jonathan, and Jonathan would tell me the answers and ask me to prepare.\*

30 So is it right that you signed the document we see on the screen because Jonathan asked you to?---\*Yes.\*

Why didn’t you just say to Jonathan, “I am not signing this document, because it is not true”?---\*Firstly, at the time, Jonathan was my boss, and secondly, at the time when I signed the document, I, I didn’t know there would be so much trouble. So I was, I was afraid.\*

40 Why would – other than the reasons you’ve stated, why were you afraid? ---\*Because for so many years, I had been working in restaurants, and that’s the only thing I know, and the family is very powerful within the industry. So I, I was afraid that I would lose my job.\*

Mr Mo, if you just have a look on the screen, there’s a little heading that says Receipt Number, and has two numbers underneath it in handwriting. 4-0-9-1-3 and 4-0-9-2-3, do you see those there?---\*Yes.\*

At the time that you signed this form, did you have receipts that bore those numbers, 4-0-9-1-3 and 4-0-9-2-3?---\*No. I, I can’t recall. I can’t really recall.\*

Well, do you know where the person who wrote in 4-0-9-1-3 and 4-0-9-2-3 got those numbers from?---\*I don't know.\*

Can we go, please, to page 20 of the same bundle. Mr Mo, you told us a little earlier about the Electoral Commission asking you to produce documents, correct?---\*Yes.\*

And is the letter of 14 September, 2016, a letter that you received that asked you to produce documents?---\*Yes.\*

10

When you received this document, you knew that the Electoral Commission was investigating whether there was any wrongful conduct in relation to the Chinese Friends of Labor dinner on 12 March, 2015. Do you agree?  
---\*Yes.\*

After you received the document on the screen, what did you do about the document?---\*I took this document to Jonathan and asked him what to do. This is, this is fairly troubling.\*

20

So when you received this letter you were troubled because you knew the Electoral Commission was investigating this issue, is that right?---\*Yes.\*

And you were concerned that you had already lied because you had said that you had donated money in connected with the Chinese Friends of Labor function in 2015 but you had not done so?---\*Yes.\*

Did you tell Jonathan that you were troubled about this issue?---\*Yes.\*

30

What did Jonathan say in response, if anything?---\*He said, "You don't have to worry, you just prepare the information they're asking."\*

Did Jonathan assist you in preparing the information that the Electoral Commission were asking for?---\*He said, "Just prepare the information pursuant to the letter."\*

40

And can we go to page 25 of the bundle, please. Mr Mo, I'm putting up on the screen the list of documents that the Electoral Commission asked you to produce. Did you collate those documents and send them off to the Electoral Commission or did someone give you help with that?---\*I think I went back to ask my wife to prepare the information and have them sent back to the Electoral Commission.\*

And so is it right that within your family your wife usually takes care of paperwork?---\*Yes, because my English is not well and my wife keeps all the documents at home.\*

Other than telling you that you should get the documents together, you don't have to worry and you should send them to the Electoral Commission, did

Jonathan give you any other assistance in responding to this notice to produce?---\*No.\*

THE COMMISSIONER: Just before we leave that. Just in relation to number 4 on the screen, it says, "Please provide copies of receipts given to you by the person or persons or organisations who received your donations on either 12 March, 2015 or 9 April, 2015." Do you know whether you had at that time receipts for the donations? Had you already received the receipts referred to in paragraph 4?---\*I can't really recall.\*

10

MR ROBERTSON: Can I help you this way, Mr Mo. Can we go to page 35 of the bundle. Mr Mo, I'm going to show you one of the documents that the Electoral Commission received regarding you. This is a letter from NSW Labor of 6 September, 2015. Other than the document that we can see on the screen, do you remember having at this point in time some other tax invoice or receipt that said that you had donated \$5,000 to NSW Labor and/or \$5,000 to Country Labor?---\*Really I can't remember.\*

20

Can we go, please, to page 37 of the bundle. Mr Mo, as well as being asked to produce documents you were asked to answer some questions that the Electoral Commission answered, sorry, that the Electoral Commission asked. Correct?---\*Yes. Yes, that's right.\*

And did they ask them in a document that had the letter that's on the screen of 2 June, 2017 as a cover letter. Correct?---\*Yeah.\*

Do you remember receiving the letter that you can see on the screen of 2 June, 2017?---\*Yes.\*

30

When you received this letter what did you do about it?---\*Again I took this letter to Jonathan.\*

Can we go to page 43 of the bundle, please? I'm now going to show you, Mr Mo, the questions that the Electoral Commission asked of you. Do you recognise this document as the questions that were asked of you, Mr Mo? ---\*Yes.\*

40

And who came up with the answers to these questions? Was that you, was it Jonathan, or was it someone else?---\*Jonathan.\*

And if we can turn, please, to page 45 of the bundle. If you have a look towards the bottom of the page, Mr Mo, is that the answers that you gave to Mr Baragry from the Electoral Commission?---\*Yes.\*

And are you saying that it was Mr Jonathan Yee who told you to give those answers?---\*Yes.\*

Do you agree that the answers – I withdraw that. Do you agree that amongst the answers you gave to the Electoral Commission included false answers?---\*Yes.\*

You knew that they were false at the time you sent them to Mr Baragry, correct?---\*Yes.\*

10 Mr Mo, do you see in item number 5 on the screen, there's a reference to Chinese New Year lucky packet? Do you see that there?---\*Yes.\*

Was it your idea to tell Mr Baragry that donations had something to do with Chinese New Year lucky red packets, or was that Jonathan's or someone else's idea?---\*It was Jonathan's.\*

It was not your idea, is that correct?---\*No, all the answers were given to me by him.\*

20 If you can now just have a look at answer number 11 that says, "Yes, Mr Ernest Wong and Mr Jonathan Yee," do you see that there?---\*Yes.\*

And the question that you were asked was, "Who asked you to donate to the Australian Labor Party NSW and the Country Labor Party?"---\*Yep, Jonathan.\*

Do you know what involvement Mr Ernest Wong had in the Chinese Friends of Labor event and the question of donations in connection with that event?---\*I don't know.\*

30 Did Ernest Wong have any involvement in asking you to sign any documents or do anything else in relation to donations and the Chinese Friends of Labor event in 2015?

MR HALE: Can I object to the question in that form? Did he say something - - -

THE COMMISSIONER: Just use the microphone, if you would.

40 MR HALE: I'm sorry. It's just the form of the question. "Did he ask", "Did Mr Wong ask" would be acceptable. Just the broadness of the question, what involvement, which might have speculation, might involve speculation of other events.

MR ROBERTSON: I'll phrase it a bit more precisely.

THE COMMISSIONER: All right.

MR ROBERTSON: Do you have any knowledge of Ernest Wong having any involvement in the question of Chinese Friends of Labor event in 2015 and donations?

MR HALE: Well, again, I would object to the question in those terms. One would imagine we would start with whether Mr Wong ever said anything to you, and then to the general.

THE COMMISSIONER: Well, all right. Can we narrow it down?

10

MR ROBERTSON: Did Mr Jonathan Yee say anything to you about Mr Ernest Wong and any involvement he may have had in the Chinese Friends of Labor event in 2015?---\*No.\*

Have you ever had any discussions with Mr Ernest Wong regarding donations?---\*No.\*

Have you had any discussions with Ernest Wong regarding Chinese Friends of Labor?---\*No.\*

20

I'm about to move on to another topic. Is that a convenient time?

THE COMMISSIONER: Yes, we might take the morning tea adjournment. I'll resume in 20 minutes. You may step down, Mr Mo. We're going to take the morning tea adjournment.

### **SHORT ADJOURNMENT**

**[11.36am]**

30

MR ROBERTSON: Chief Commissioner, I tender the bundle that I was examining on before the adjournment, which is the bundle that I've described as the NSW Electoral Commission bundle for Mr Mo, which is constituted by annexures LM1 to LM10 of the statement of Mr Baragry.

THE COMMISSIONER: Yes, the statement and annexures to Mr Baragry, LM1 to LM, LM - - -

MR ROBERTSON: 10.

40

THE COMMISSIONER: 10?

MR ROBERTSON: Commission pleases.

THE COMMISSIONER: It'll become Exhibit 245.

**#EXH-245 – NSW ELECTORAL COMMISSION BUNDLE FOR LEI MO – BEING ANNEXURES LM 1 TO LM 10 TO THE STATEMENT OF PETER BARAGRY DATED 20 SEPTEMBER 2018**

MR ROBERTSON: Chief Commissioner, I apply for the directions that were made under section 112 of the Independent Commission Against Corruption Act in relation to the compulsory examination of Mr Mo on 26 June, 2018, and continuing onto 9 July, 2018, be lifted insofar as it would otherwise prohibit the publication of the fact that Mr Mo gave evidence on those occasions, and insofar as it would otherwise prohibit the publication of any question asked or answer given in this public inquiry.

THE COMMISSIONER: What's the second bit?

MR ROBERTSON: I'm sorry, Chief Commissioner?

THE COMMISSIONER: As to his attendance, and - - -

MR ROBERTSON: As to his attendance, and insofar as it would otherwise prohibit the publication of any question asked or answer given in this public inquiry, because I'll ask him some questions which may disclose what he said during the compulsory.

THE COMMISSIONER: Do you want questions and answers?

MR ROBERTSON: Questions and answers, yes, Chief Commissioner.

THE COMMISSIONER: Yes, very well. In respect of the compulsory examinations of Mr Mo, 26 June, 2018, and 9 July, '18, I vary the order made under section 112 of the ICAC Act, in respect of the following, the attendance of Mr Mo at those compulsory examinations, and secondly, the questions and answers recorded in the transcript of the compulsory examinations on those dates.

**VARIATION OF SUPPRESSION ORDER: IN RESPECT OF THE COMPULSORY EXAMINATIONS OF MR MO, 29 JUNE, 2018, AND 9 JULY, 2018, I VARY THE ORDER MADE UNDER SECTION 112 OF THE ICAC ACT, IN RESPECT OF THE FOLLOWING, THE ATTENDANCE OF MR MO AT THOSE COMPULSORY EXAMINATIONS, AND SECONDLY, THE QUESTIONS AND ANSWERS RECORDED IN THE TRANSCRIPT OF THE COMPULSORY EXAMINATIONS ON THOSE DATES.**

MR ROBERTSON: May it please the Commission. I misspoke a moment ago. I referred to 26 June. I should have said 29 June, 2018. I apologise.

THE COMMISSIONER: Very well, yes, I'll correct that. 26 June, 2018, should read the compulsory examinations of 29 June, 2018, and 9 July, '18.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Thank you.

10 MR ROBERTSON: Mr Mo, you participated in some private hearings before this Commission last year, is that correct?---\*Yes.\*

And you were given a summons in June 2018 to attend before this Commission on 29 June, 2018, is that correct?---\*Yes.\*

After you received that summons, did you speak with Jonathan Yee regarding the fact that you had received the summons?---\*No.\*

Are you sure about that?---\*What? Can you repeat the question, please?\*

20 Are you sure that you didn't speak to Jonathan Yee about the fact that you had received a summons to give evidence before this Commission in a private session last year?---\*Oh, I did speak, I did speak to him about receiving the summons.\*

Can we put the compulsory examination summons on the screen, please, so it can assist Mr Mo get his bearings? Mr Mo, I'm going to put the summons up on the screen. Do you now see that on the screen?---\*Yes.\*

30 And can we turn the page, please, and can you see that it's dated 13 June, 2018?---\*Yes.\*

And can we turn the page again, please, and can you see a note from Mr Vickery saying it was given to your mother on 14 June, 2018?---\*It was given to my mother?\*

That's the note that says on the screen.---\*Yeah, there was no one at home at the time.\*

40 But is it consistent with your recollection that you would have received the summons some time on 14 June, 2018?---\*Is that, the date written on there, is that June?\*

It looks to me like 14/6, being June, 2018.---\*Yeah. Yes, I received the summons, yes.\*

And after you received the summons did you tell Jonathan Yee that you had received the summons?---\*Yes, I did. I did tell him.\*

Doing the best you can, what did Jonathan tell you to do about the summons?---\*He didn't tell me anything.\*

THE COMMISSIONER: After you received the summons did you make contact with Jonathan to get his advice about what you should do about the summons?---\*No.\*

Well, you did tell him, did you, that you had received the summons?  
---\*Yes.\*

10

Why did you tell him?---\*I was afraid.\*

Well, did you feel at that time that you needed to discuss it with him?  
---\*No.\*

Well, did you have some discussion with Jonathan Yee about the fact that you had been summonsed to the Independent Commission Against Corruption?---\*Yes.\*

20

MR ROBERTSON: And as best you recall what was that discussion, what did Jonathan say to you and what did you say to Jonathan?---\*After receiving the summons from ICAC because my English is not very well I said to him, "It looks like that I have to go and answer some questions." And he said, "A couple of people have been already."\*

And did he say anything else?---\*No.\*

30

Did you contact Jonathan Yee by telephone or in some other way?---\*By telephone.\*

Did Jonathan give you any advice as to what you should say to this Commission before you attended for the private hearing last year?---\*He said just say what you had said earlier.\*

What do you mean by say what you said earlier?---\*Say the answers that were, that were given in the forms earlier.\*

40

THE COMMISSIONER: Well, could I ask you this, when you gave evidence on 9 July, 2018 in the private hearing, you gave evidence about lucky red packets, didn't you?---\*Yes.\*

And did you have any discussion with Jonathan Yee as to telling the Commission that donation money had been paid by you out of lucky red packet money?---\*No.\*

Right. Did you ever have a discussion with him on the question of lucky red packets?---\*No. I just said according to the answers given earlier.\*

Well, did you understand that to refer to any answers you had given earlier about lucky red packets?

THE INTERPRETER: Sorry, Commissioner. Sorry, can - - -

THE COMMISSIONER: All right. Did you understand that when you came before this Commission in your private hearing on 9 July, that you understood that you were to answer questions as to what money you had used to pay the donations, and that on that subject, you would refer to lucky red packet money?---\*Because the, the, earlier the, the answers were written, so I thought at the time when I come here, I will just say according to what was record, what were written.\*

MR ROBERTSON: So to be clear, you had a telephone conversation with Jonathan Yee after you received the summons, and Jonathan told you that you should say to this Commission what you had already told the Electoral Commission, is that right?---\*Yes.\*

And you understood that to be a reference to the answers that Jonathan gave you to the questions that the Electoral Commission asked you in 2017, is that right?---\*Yes.\*

And to be clear about that, can we go to Exhibit 245, the Electoral Commission bundle, at page 45, please. So, Mr Mo, what you were referring to a moment ago as to the answers that you gave to the Electoral Commission are the answers that you can see towards the bottom of the screen. Is that right?---\*Yes.\*

And so do we take it that when you were preparing to give evidence before this Commission in the private hearing last year, you re-read a copy of the email that we can see on the bottom of the screen?---\*I can't recall whether I have re-read the answers but I just answered the questions based on my memories.\*

But this email was sent in June of 2017 and you attended in a private session before this Commission in June and July, 2018. Is that right?---\*Yes.\*

Are you sure that Jonathan didn't remind you of the answers that you gave to the Electoral Commission in 2017 when you spoke to him about your summons in 2018?---\*No, he didn't remind.\*

You just remembered what you had told the Electoral Commission in June of 2017. Is that right?---\*Yes.\*

Other than the telephone conversation with Jonathan Yee that you've told us about did you have any further discussions with Jonathan Yee between receiving the summons to attend before this Commission and attending here on 29 June, 2018?---\*No.\*

Well, about a week before you attended the private hearing before this Commission you saw Jonathan Yee at karaoke. Correct?---\*Yes.\*

Did you discuss this Commission's investigation when you were with Jonathan Yee at karaoke?---\*No.\*

10 Other than the telephone call that you've told us about where you discussed the summons with Mr Jonathan Yee and meeting Jonathan Yee at karaoke did you have any other telephone calls or meetings with Jonathan Yee between receiving the summons from this Commission and attending here on 29 June, 2018?---\*From time to time he would come to our restaurant for, you know, for a meal.\*

When you say our restaurant, which restaurant are you referring to?  
---\*Peking Roast Duck Restaurant.\*

20 So in June 2018, you were not working at Emperor's Garden Restaurant, but you were working in the Peking Duck Restaurant you just referred to, is that correct?---\*I worked in the Peking Duck Restaurant for one year and a half.\*

But in June of 2018, you were no longer working at Emperor's Garden Restaurant, is that correct?---\*Correct.\*

In June of 2018, Jonathan Yee was no longer your boss, is that right?  
---\*Correct.\*

30 But you and Jonathan were still friends at that time, is that correct?---\*Yes, we, we were still friends.\*

And you would speak to him by telephone or in person from time to time, is that right?---\*Yeah, sometimes we was, was, was, I would order some meat from his butcher. Sometime we speak about the business.\*

After the private session before this Commission on 29 June, 2018, did you make contact with Jonathan Yee to tell him what had happened during this, during the private session in this Commission?

40 THE INTERPRETER: Sorry, could you - - -

MR ROBERTSON: I'll try, I'll do it again.

THE INTERPRETER: Yeah. Sorry. Yep.

MR ROBERTSON: After the private session before this Commission on 29 June, 2018, and before you came back on 9 July, 2018, did you have any communications with Jonathan Yee?---\*So from June to July?\*

Between 29 June, 2018, when you first attended before this Commission for a private hearing, and the second time that you attended, which was 9 July, 2018.---\*Then I'm not too, I can't recall.\*

After the first private hearing on 29 June, 2018, did you make contact with Jonathan Yee to tell him what had happened during the private hearing?  
---\*No.\*

10 Is it possible that you still contacted, and so that you still spoke to Jonathan Yee between the first private hearing before this Commission and the second private hearing on 9 July, 2018?---\*Nothing about the hearing was discussed.\*

So is it possible that you did speak to Jonathan Yee in that period, but you're saying you didn't discuss the private hearing?---\*Possibly.\*

20 When is the last time you spoke to Jonathan Yee either in person or on telephone?---\*A couple of months.\*

THE COMMISSIONER: Once you became aware that the Electoral Commission had commenced investigations into this donations matter, firstly, you understood after having discussions with Jonathan Yee that you were to falsely state to the Electoral Commission that you had donated to the Labor Party in 2015. Is that right?---\*When, when are you referring to?\*

30 I'll put it again. Once the Electoral Commission commenced its investigations and after you had discussions with Jonathan Yee, you knew that Jonathan Yee wanted you to falsely tell the Electoral Commission that you had donated to the Labor Party. Is that right?---\*Yes, I knew.\*

And once the Electoral Commission had commenced its investigations you became aware, did you not, that other employees at Emperor's Garden had also been spoken to by Jonathan Yee in respect of the answers they should give to the Electoral Commission?---\*That I'm not too sure.\*

40 Well, you came to understand, didn't you, that you weren't the only Emperor Gardens employee that Jonathan Yee had asked to pretend that they had made donations?---\*Yes.\*

And is this right, you knew that Jonathan Yee was trying to coordinate the stories that the Emperor Garden employees including yourself would give to the Electoral Commission? Is that right?---\*Yes.\*

And did that concern you, that you and others were being told to give false information to the Electoral Commission?---\*Very concerned.\*

And after the investigations by this Commission commenced you were aware from what Jonathan Yee had told you that ICAC had been examining other Emperor Gardens employees other than yourself about this matter. Is that right?---\*I didn't know too much. I didn't know that Valentine or his mother were being investigated. That, that I'm not, I didn't know.\*

10 Did Jonathan Yee tell you that some of the other employees at Emperor's Garden had been required to give information to this Commission?---\*I can't remember if he had told me but I know that another manager and a person working at the cash register were also summoned.\*

Were?---\*Were summoned.\*

What are the names of those two people?---\*One is, one was Wei and the other one was Pat. Pat.\*

Pat. Is that a lady?---\*Yes, yes. She, she worked at the cash registry.\*

20 MR ROBERTSON: Are you referring to Patricia Siu?---\*Yeah, Patricia. I'm not sure if her surname is Siu but we call her Pat.\*

And was the other person you referred to Wei Shi?---\*Yes.\*

After you received the summons to attend the private hearing in this Commission did you speak to Wei Shi or Patricia Siu about the fact that you had been given that summons?---\*No.\*

30 Did you speak to any other current or former Emperor's Garden employees regarding that matter?---\*No.\*

Did you speak to Wei Shi at all between receiving the summons to come here and attending before this Commission last year in a private hearing?---\*About this ICAC hearing or anything?\*

Have you spoken to him, did you speak to him at all about anything between 14 June, 2018, when you were given the summons to attend here, and 29 June, 2018, when you attended here for a private hearing?---\*I did not speak, I did not speak to him anything about the ICAC matters.\*

40 But is it possible that you spoke to him about other matters?---\*Yeah, yes. Because he was, at the time, the manager of Emperor's Garden and, and our customers, they would go to my restaurant and they would also go to their restaurant. Sometimes if they can't book a table, they would book a table at our restaurant and vice versa.\*

So you were in contact with Wei Shi during June of 2018 regarding restaurant matters, is that right?---\*Yes. Yes, there was a chance, yes.\*

Is Wei a friend of yours or do you just have contact for business reasons?  
---\*We, we are, we are, we were, we were colleagues at work.\*

Can we have Exhibit 245 back on the screen, the Electoral Commission bundle, page 45, please. So Mr Mo, I'm putting back on the screen the answers that you gave to the Electoral Commission in June of 2017. Do you see them on the screen?---\*Yes.\*

10 And is it right that when you gave evidence to this Commission in a private hearing, you wanted to tell this Commission a story that was consistent with what you told the Electoral Commission in June of 2017?---\*Yes.\*

And the reason you wanted to do that was because Jonathan Yee told you that that's what you should do before this Commission, is that right?  
---\*Yes.\*

And so during the private hearing before this Commission, you told the Commission that you had given \$100,000 to Jonathan Yee, is that right?

20 MR RAMRAKHA: \$100,000?

THE COMMISSIONER: I think it was \$10,000.

MR ROBERTSON: I'm so sorry. I'll withdraw that. I will start again. During the private examination before this Commission, you told this Commission that you had given a \$10,000 donation to Jonathan Yee, is that right?---\*Yes.\*

30 And that evidence before to this Commission was false, do you agree?  
---\*Yes.\*

You also told the Commission that you gave a donation of \$10,000 to Jonathan in cash, correct?---\*Yes.\*

And again, that was false?---\*Yes.\*

40 You also told the Commission that the donation was in \$100 notes, correct?  
---\*I can't remember whether I said \$100 to \$50, I am not too sure, or 20s. I am not too sure.\*

But you at least said that some of the money had come from Chinese New Year lucky red packets, correct?---\*Yes, and I, I did say that, yes.\*

And the reason you said that was that Jonathan had already told you to say that to the Electoral Commission?---Mmm. \*Yeah.\*

And you were trying to tell a story to this Commission that was consistent with the story you told to the Electoral Commission?---\*Yes.\*

But the story you told to this Commission was false, is that right?---\*Yes.\*

10 Why was it that you told a false story to this Commission when you participated in the private hearings in June and July of last year?---\*I, because the, because the information that I provided in the forms and including the forms that I signed, I, I, I was very afraid, and I was very worried. But he asked me to continue to, to, with the information. So, but and for the fact that I was telling lies, continuing with the lies, I was very afraid.

Why were you afraid, though?---\*Well, I, I have worked in the, in the restaurant industry for many years, and that's the only thing that I know. And the, the family, the, the family have been in the industry for many years, for, for ten, for tens of years. Yeah, so I, I, I didn't want to, to, to get on the wrong side of the family.

20 Mr Mo, why have you now decided to tell the truth regarding these matters? ---\*Yeah. Because this matter has been troubling me for two years now and, and since 2015, my wife has been very ill. She, she had been suffering from cancer. She, she has had, undergone operations so I, I have been, I have been going through a lot of stress. Haven't been sleeping well and, and because, and I, I don't wish to continue to put up with this pressure. So I don't want my wife to worry about me anymore, she only had an operation a few weeks ago and I, I, I can't put up with this pressure anymore. So I have decided to tell the truth so that I can, I can sleep better.\*

30 Thank you, Mr Mo.

THE COMMISSIONER: Yes. Are there any clarifications to cross-examine? No. Mr Ramrakha, do you have anything?

MR RAMRAKHA: I've got just a couple of questions, Chief Commissioner. Mr Mo, I just want to confirm that you first made an approach to the ICAC about changing your evidence yesterday, correct? ---\*Yes.\*

40 And you did that in the morning at 9.30am, correct?---\*Yes.\*

And in giving evidence today you've been trying to do your best to give truthful evidence, correct?---\*Yes.\*

And you've been trying to recall events from a number of years ago, correct?---\*Yes.\*

And you've spoken about your wife's illness?---\*Yes.\*

And the stresses that has brought upon you, correct?---\*Yes.\*

So you've had a lot on your mind, correct?---\*Yes.\*

Is that correct?---\*Yes.\*

10 But you have nonetheless been trying to give the most truthful evidence that you can today, correct?---\*Yes.\*

You spoke about the Yee family as being powerful. That's powerful in the Chinese community and particularly in the Chinatown area, correct?  
---\*Yes.\*

And you would agree, I think, that the relationship between an employee and a Chinese boss is an unequal one in your culture, is that correct?  
---\*Yes.\*

20 So if your boss asks you to do something, it's quite difficult to deny the request, correct?---\*Yes.\*

And that partly explains would you were willing to just sign a blank for when Jonathan Yee asked you to sign something, correct?---\*Yes.\*

THE COMMISSIONER: When you said the Yee family were powerful, powerful in what sense?---\*In restaurants.\*

30 How does that make them powerful in your mind?---\*They, they know all of the restaurants. They have, they have been in the industry for tens of years, 40 years. They also have a good relationship with other restaurants.\*

MR RAMRAKHA: And just you gave some evidence about having made a donation to, a \$900 donation. Do you remember giving some evidence about that?---\*Yes.\*

40 Now, I think your evidence is that you don't specifically recall the circumstances but you agree that the money came from your cheque account. Correct?---\*Yes.\*

And that Jonathan Yee made a request of you to make that donation. Correct?---\*Yes.\*

And clearly you had to draw upon a loan to make that donation. Correct?  
---\*I actually drew from my home loan.\*

Yes, but you had to draw upon the bank to make the donation. Correct?  
---\*Yes.\*

And you did that, that's another example of you feeling as though you couldn't refuse a request from your boss. Correct?---\*Yes.\*

No further questions.

THE COMMISSIONER: Yes, thank you, Mr Ramrakha. Is there any reason to keep the summons on foot?

10 MR ROBERTSON: No.

THE COMMISSIONER: Very well. Thank you, Mr Mo, you may step down. You are excused.

**THE WITNESS EXCUSED**

**[12.51pm]**

20 THE COMMISSIONER: Mr Robertson, do you want to start another witness before - - -

MR ROBERTSON: I don't think so in light of the time but perhaps if we aim to come back at - - -

THE COMMISSIONER: Start at 2.00?

MR ROBERTSON: May it please the Commission.

30 THE COMMISSIONER: 2 o'clock.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: I'll adjourn till 2 o'clock.

**LUNCHEON ADJOURNMENT**

**[12.52pm]**