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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 THURSDAY 19 SEPTEMBER, 2019

AT 2.15PM

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: I call Johnnie Chi Wah Lin.

THE COMMISSIONER: Yes. Thank you, Mr Lin. Mr Lin, if you just take a seat there for a moment, we'll swear in the interpreter.

<GARMAN (JOANNA) LUM, sworn

[2.24pm]

10 THE COMMISSIONER: Does Mr Lin take an oath or an affirmation?

MR LIN: Oath, please.

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

THE COMMISSIONER: Yes. Mr Soon.

MR SOON: Yes, Chief Commissioner.

THE COMMISSIONER: Do you seek leave to appear?

10 MR SOON: I seek leave to appear.

THE COMMISSIONER: Yes. I grant leave here to appear for Mr Lin.

MR SOON: I also seek a section 38 declaration.

THE COMMISSIONER: All right. You have explained the provisions to Mr Lin, have you?

20 MR SOON: I have, Chief Commissioner.

THE COMMISSIONER: Thank you. Mr Lin, will you state your full name, please.---*Johnnie Chi Wah Lin.*

Thank you. Mr Lin, Mr Soon has stated that you wish to make application to have a declaration made under section 38 of the Independent Commission Against Corruption Act and I understand that those provisions have been explained to you. Is that so?---*Yes.*

30 Mr Lin, you understand that the effect of a section 38 declaration is that the evidence you give here today can't be used against you in future proceedings?---*Yeah, I understand.*

The only exception to that is if a witness commits an offence under Independent Commission Against Corruption Act, such as giving false to misleading evidence, meaning the evidence you give today could be used in a prosecution for such an offence. You understand that?---*Yes, I understand.*

40 Good. And I should state that an offence of giving false or misleading is a serious offence and it can attract a penalty of a term of imprisonment for up to five years. So you understand the importance of answering all questions truthfully, is that right?---*I understand.*

Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by Mr Lin and any documents or things produced in the course of his evidence in this public inquiry are to be regarded as having been given on objection or produced on objection.

Accordingly, there is no need for Mr Lin to make objection in respect of any particular answer given or document or thing produced.

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

THE COMMISSIONER: Mr Lin, in a moment Counsel Assisting, Mr Robertson will ask you some questions. I just want to say I'm sorry that you've been kept waiting, as I understand, on a number of occasions. It's been unavoidable but we're now ready to proceed.---*I just want to say that I am very pleased to be invited to attend today. I am honoured to be, I am honoured to be present but I am 68 this year and there are many things that has left my memory already.*

Yes, I understand.---*And I apologise for that and I ask for your indulgence.*

That's all right. Yes. Thank you, Mr Lin.

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

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

Did you buy a seat or 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. I simply was not aware of it.*

You did not attend that event. Is that right?---*No.*

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

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

Do you know what Country Labor is?---*I do not know.*

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

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, please, page 3 of Exhibit 152 on the screen. Mr Lin, I'm going to put a document on the screen that is in front of you. Mr Lin, is this the document that you signed regarding the Chinese Friends of Labor dinner in 2015?---*Yes.*

10 And is that your signature in the bottom right-hand corner of the page?
---*Yes, it was.*

Where it says Johnnie Lin, is that your handwriting or someone else's handwriting?---*My, it was my handwriting.*

What about the slash that you can see on the page, was that something that you added or is it something that someone else put on that form?---*I didn't put it there.*

20 In the bottom right-hand corner there's a date that says 30/03/15. Can you see that?---*Yeah, I did write that.*

That's your handwriting. Is that right?---*Yes.*

And do we take it from that that you signed this document on about 30 May, 2015 – sorry, 30 March, 2015. I'm sorry, I misspoke.---*Indeed, yes.*

30 When you signed this document did it have the \$5,000 figure that you can see towards the top of the page, was that already written on it?---*No.*

Do you recognise the handwriting of the \$5,000 that you can see on the page?---*No, I don't.*

Is it possible that that \$5,000 was on the page when you signed it and you've just forgotten?---*I don't think so. I don't think it was there.*

Did you sign one form that looks like the document on the screen or more than one?---*I don't recall about that one.*

40 You recall signing one of these forms, you don't recall signing more than one, is that right?---*The should be more than one, should have been more than one.*

But to be clear, you remember signing one of these forms, is that right?
---*Yes.*

You may have signed more than one but you can't now remember, is that correct?---*Correct.*

Why did you sign the document that you can see on the screen?---*Because Jonathan asked me to do so.*

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

And Jonathan Yee is the general manager of Emperor's Garden restaurants, is that right?---*Yes.*

10 Did you used to work for Jonathan at the Emperor's Garden restaurant?
---*Yes.*

What was your role when you used to work for Jonathan?---*I was the assistant manager working at the barbecue and noodles side of Emperor's Garden.*

And do you still work for Jonathan?---*Yes. He asked me to go back and help because he was short-staffed.*

20 In the past have you worked for Jonathan on a full-time basis?---*Yes, in the past, yes.*

So when you were assistant manager, you worked on a full-time basis, is that right?---*Yes, at that time, yes, I was.*

But you no longer work for him on a full-time basis, is that right?---*No longer, no.*

30 Can you remember when you stopped working for Jonathan on a full-time basis?---*Not since I retired. I haven't worked for him full-time since.*

And when did you retire?---*I retired in 2016.*

Are you sure it was 2016 or might have it been sometime in late 2015?
---*I left Emperor's Garden at the end of 2015, then I moved on to work in another restaurant in Carlingford.*

And you still do some work for Jonathan on a casual basis, is that right?
---*Correct.*

40 When is the most recent time you did some work for Jonathan on a casual basis?---*Just last week.*

And how regularly have you done work for Jonathan in the last two years?
---*I'd say a couple of times in a month. Whenever he is short-staffed he would ask me.*

Did Jonathan explain to you why he wanted you to sign the document that is on the screen?---*He told me that it was in relation to a donation to the Labor Party.*

Is that the only thing that he said about it?---*I did say that I'm only staff working there and \$10,000 was a lot of money although I do have the money myself. And then he replied that you've been in Australia for so long now you should have the money, but you just need to sign it you don't actually need to donate.*

10

So are you saying that Jonathan wanted you to sign forms to say that you had donated \$10,000 even though you weren't going to donate \$10,000. Is that right?---*Yeah, yeah, I wasn't going to.*

But Jonathan told you that he wanted you to sign documents that said that you had donated money even though you didn't donate money. Is that right?---*Correct.*

20

When you signed the document that was on the screen before you knew it was a document saying that you had donated some money. Is that right? ---*Yeah, the document said that I have donated 10,000 to Labor Party.*

And so when you signed the document that was on the screen you knew that you were telling a lie on that document. Is that right?---*He asked me to sign only at that time and there was no problem making a donation.*

30

Yes, but what I'm asking is that at the time you signed this document you knew that you were telling a lie. Do you agree?---*I didn't feel like I was telling a lie. He told me to sign about, sign for the donation to Labor Party. I didn't feel like, I didn't feel, felt it as a lie.*

But you made clear to Jonathan, didn't you, that you weren't going to make a donation to the Labor Party for the Chinese Friends of Labor launch. Is that right?---*I don't understand your question I'm afraid.*

40

At the time that Jonathan asked you to sign this form, you told him that you wouldn't be making a donation for the Chinese Friends of Labor event, is that right?---*He didn't mention about the dinner, he only mentioned about donating to party and I simply wasn't aware of the dinner function.*

And you told Jonathan that you didn't want to donate to the party, is that right?---*I am a fan of Labor Party, I have been one all along. If I am required to pay I have the capability to but I did say to him at that time that I am just an employee, \$10,000 is a lot and it doesn't make a lot of sense, doesn't felt logical and his, his reply, "Look, you have been here for so long now, you would have saved the money but anyway, you don't need to pay, you just have to sign."*

Did Jonathan explain to you why he wanted you to sign this form?---*No, he only asked me to sign for, sign on it.*

Did Jonathan say anything else to you about this form when he asked you to sign it?---*No. He only asked me to sign the form and it's in relation to the donation of \$10,000 to Labor Party.*

10 And so you knew that by signing this form, you were saying that you were donating money even though you had decided not to donate money, is that right?---*Yeah. It was for a donation but I was not required to actually pay.*

So you knew the form was about donations, is that right?---*Yes.*

But Jonathan said, "It's fine for you to sign a form that says that you were going to make a donation but you don't have to donate the money," is that right?---*Yes.*

20 And so it was Jonathan who gave you this form to sign, is that right? ---*Yes.*

You wrote in your name and the date and signed it?---*Yes.*

And you then gave it back to Jonathan, is that right?---*We signed it in the premises of the Emperor's Garden, so after I signed on it, he took it back and I didn't have to give it back to him.*

30 He presented it to you, you filled it out and then he took it away, is that right?---*He did.*

Were you ever sent a tax invoice or receipt from the Australia Labor Party NSW regarding this pretend donation?---*From Labor?*

From Labor.---*No.*

40 Can we go to the previous page in this bundle, please. Mr Lin, can you just have a look at the document that's on the screen. Do you remember whether you were ever sent a document that looks like the one on the screen?---*No.*

Never seen a document like this coming to you from the Labor Party. Is that right?---*No.*

Can we go to page 46 of the bundle, please. I'm going to now show you a copy of another form that looks similar to the form that we looked at a moment ago. Do you see that on the screen, Mr Lin, a black-and-white version of a form?---*Yeah, black-and-white, yeah.*

And you remember the last one I showed you was in colour and this one I'm showing to you in black-and-white?---*Yes.*

Did you photocopy the colour form or to your knowledge did Jonathan photocopy the coloured form?---*I never did that.*

And to your knowledge Jonathan didn't do that either. Is that right?---*I do not know.*

10 But it's right that you don't know whether you signed one form which was then photocopied or whether you signed two forms, a colour one and a black-and-white one. Is that correct?---*I really do not recall.*

Can we go back one page in the bundle, please. Mr Lin, I'm now showing you a tax invoice that looks similar to the last one but this time it says Country Labor in the top left-hand corner. Do you see that?---*Yes.*

20 And did you ever receive a document that looks like this one from Country Labor?---*No.*

Can we go, please, to the Electoral Commission bundle and we'll start on page 8, please. Mr Lin, I'm now showing you a letter of 20 January, 2016. Do you see that, Mr Lin?---*Have you seen that or do you see that now?*

I'm asking whether you have seen this, Mr Lin.---*Let me have a read. I should have seen this one before.*

30 So do you remember receiving this letter in around January of 2016? ---*Yeah.*

Do you remember what you did about this letter when you received it in January of 2016?---*I was shocked and I showed it to Jonathan.*

And when you showed it to Jonathan, what did he say about the letter? ---*He told me to leave it with him for a few days and he will return it in, later.*

40 And what happened then about the letter?---*After a few days he rang me and asked me to attend the restaurant to collect the form and documents to explain to the Electoral Commission.*

And can we go, please, to page 12 of the bundle. Now, Mr Lin, I'm showing you a disclosure of political donations for a major political donor form that appears to have been signed on 27 January, 2016. Can you see that on the screen? Can you see that, Mr Lin, on the screen?---*Yes, yes.*

Now the signature that's towards the bottom of the page, is that your signature?---*Yes.*

Whose handwriting is it where it says, "Lin, Jonnie Chi Wah," towards the top of the page?---*I did, that was my handwriting.*

And is it also your handwriting for the date of 27/01/16?---*Yes.*

Did anyone give you help to fill out this form that is on the screen?---*No.*

10 Is this the form that you referred to before that Jonathan left for you at the restaurant after you spoke to him about the 20 January, 2016 letter?---*I think he asked me to sign on it, on this one.*

Can we turn two pages down in this document, please. Now, Mr Lin, do you see a reference there to, "Country Labor, \$5,000"?---*Yeah.*

Do you recognise whose handwriting that is?---*I, I have no idea but it's not mine, it was not mine.*

20 What about at the top of the page where it says, "Johnnie Chi Wah Lin," is that your handwriting?---*No.*

Not your handwriting?---*Not mine.*

And if we turn the page again, again it's not your handwriting on this page, is that right?---*No.*

When you signed the document on page 12, did it also have the writing that we've just seen on pages 14 and 15?

30 THE INTERPRETER: I beg your pardon?

MR ROBERTSON: When you signed the document that you can see on the screen, page 12, was it one page or were there more one pages that were together?---*That was just this page and he told me to sign on it.*

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

40 And so to be clear, Jonathan asked you to sign a one-page document that looks like the one on the screen, is that right?---*Yes.*

If we can just turn back to page 14. Just to be very clear, Mr Lin, this page that you can now see on the screen that was not attached to the page that you signed. Is that right?---*No, it wasn't there.*

And if we go to the next page. Similarly this page you can now see, page 15, that was not attached to the one-page document that you signed. Is that right?---*No, it wasn't there.*

If we go back to page 12, please. Did Jonathan explain to you why he wanted you to sign this document?---*That one talked about a donation to the Labor Party.*

And so when you signed this form you knew you were telling the government about donations. Is that right?---*Yes.*

But at that point of time you had not made a donation of \$5,000 or \$10,000. Correct?---*No, I haven't.*

10

And so by signing this document you were telling the government that you had made a donation even though you hadn't made a donation. Is that right?---*That's right. I haven't made a donation. I haven't donated.*

Yes, but when you signed this document you realised you were telling the government that you had made a donation even though you hadn't made a donation. Do you agree?---*I signed to say that I've made the donation while in fact I haven't.*

20 But you signed it because Jonathan asked you to. Is that right?---*Indeed.*

And at that point in time you were still working for Jonathan on a full-time basis. Is that right?---*I'm not sure. I can't recall.*

If you have a look at the date it says 27 January, 2016. Do you see that?---*I might have already left. I'm not sure.*

30 Yes, I think I may have made a mistake, I apologise, because you did tell us that you left, you hadn't retired yet but you had left working at the barbecue and noodles store in 2015.---*No, I wasn't retired yet.*

You weren't retired yet but you had stopped working for Jonathan on a full-time basis. Is that right?---*I should be working, I should have been working with the Carlingford restaurant at that point of time.*

Can we go to page 17, please, of the bundle. Now, Mr Lin, then in September of 2016 the Electoral Commission asked you to produce some documents. Is that right?---*Yes, yes.*

40 And did you receive a letter that looks like the one on the screen in September 2016 that was asking you to produce documents?---*Yes.*

What did you do about this letter when you received it from the Electoral Commission?---*There were a lot of question were asked in the letter so I showed it to Jonathan Yee to see how we should deal with it.*

So can we first go to page 22. So, Mr Lin, the first thing that the Electoral Commission asked you to do was to produce documents, to produce papers

and later on they asked you some questions. I'm not worried about the questions at the moment, I'm just asking about the document. Do you understand?---*I think I have produced them already.*

So when you got this letter asking you to produce documents, did you speak to anyone about it or did you just produce documents?---*I can't recall but those documents that are required, I can collate them myself too, like the bank statement and the tax invoice.*

10 Well, just with the tax invoice. At the time that you received this letter in September, did you have a tax invoice from the Australian Labor Party or did you have to ask someone to obtain that?---*I have it at home.*

THE INTERPRETER: But the witness is pointing to item number 2.

MR ROBERTSON: So you're pointing to the notice of assessment from the Tax Office, is that right?---*What tax invoice are you talking about?*

20 If you have a look at number 4 on the screen, it says, "Please provide copies of the receipts given to you." Do you see that there?---*No, no I don't have that one.*

At the time that you had, the time you received this letter, you didn't have receipts of the kind referred to in item 4, is that right?---*No, I didn't.*

If you can turn please to page 24. Mr Lin, I'm putting on the screen a letter dated 25 September, 2016. Do you see that on the screen?---*Yeah, that was my signature.*

30 Now, the words that are on the screen, did you come up with those words or did someone else come up with those words?---*It was mine.*

So who came up with those words?---*I have no idea.*

Are you saying that someone presented you with this document and you then signed it, is that what you're saying?---*Mmm. I remember on that day I was working in Carlingford, and one day someone came to me and asked me to sign on this letter. He said Jonathan sent him. And then after the signature, he took the letter away.*

40 Who was it that asked you to sign this letter?---*I did not, I didn't know the person. He came and said Jonathan has required, requested me to sign on it.*

Did you read this letter before you signed it?---*Mmm. I didn't but I knew it was in relation to the donation of \$10,000, and the person quickly left after I signed and I had to go back to my work.*

Do you read English well enough to be able to read and understand the text of the letter on the page?---*I haven't really read it.*

But are you able to understand what is on the page in English or would you need a translator in order to understand?---*I can have some basic understanding of, I, I can understand the letter.*

And what is said in this letter is not true, do you agree?---*I agree it's not true.*

10

Why did you sign a letter that said things in it that were not true?
---*Because Jonathan asked, said that it has to be signed in order to answer the inquiries from the Electoral Commission.*

So is it right that you signed this letter to help Jonathan, is that what you're saying?---*Mmm. Not that to help Jonathan, but I wanted the problem finished.*

20

THE COMMISSIONER: Can I ask, you may have been asked this, did you play any part in the writing of this letter, apart from signing it?---*No.*

MR ROBERTSON: When you say you wanted the problem finished, was that because you had already signed a document that told the Electoral Commission that you had donated \$10,000 and you wanted to send them a letter that would mean that they don't speak to you anymore. Is that what you mean?---*That's right.*

30

If you have a look at the second-to-last paragraph towards the middle on the screen there's a reference to Ernest Wong. Do you see that there?---*Yes.*

What did this question of donations have to do with Ernest Wong as you understand it?---*I do not know.*

So it was not your idea to mention Ernest Wong's name in this letter?
---*Not mine.*

The person who came to give you this letter to sign do you recognise who that person was?---*I don't recognise him.*

40

Is it possible that it was someone who worked at Emperor's Garden Restaurant?---*I have no idea really.*

It's not someone you remember working with when you worked at Emperor's Garden. Is that right?---*I don't recall seeing him. I don't recall having seen him before.*

So you sign this letter. Was it a single page when you signed it or was it many pages?---*There was just one page and this is the one. This was the one.*

The person who gave you this letter to sign do you remember what they looked like, were they a man or a woman?---*I recall that was a male.*

Do you remember whether they appeared to be of a Chinese background? ---*Yeah, he should have been Chinese.*

10

You remember a person who looked like they had a Chinese background who was a man giving you this letter. Is that right?---*That's right.*

But you don't know the name of the person. Is that right?---*No, I don't.*

When you were asked to sign the letter were you speaking in English or in a different language?---*We spoke in Chinese. In Cantonese.*

20

Go to the next page of this document, please. In the version of the letter that the Electoral Commission has they receive not just the letter but they received some other documents as well including the document that's on the screen. Do you remember whether you sent the document that's on the screen to the Electoral Commission or could it be someone else who did that?---*I have never seen this one before, this document.*

So if this document was sent to the Electoral Commission someone else did that. Is that right?---*That's right.*

30

And if you look at the top right-hand corner, there's a number that says 4-0-9-2-9. In the top right-hand corner of the screen. Do you see that there, Mr Lin?---(No Audible Reply)

And I'm now going to turn the page and there's a very similar document but this time it's 4-0-9-0-8. Can you see that?---(No Audible Reply)

Now, do I take it from what you said before, Mr Lin, that you did not send this document to the Electoral Commission?---*Not me.*

40

Someone else must have done that, is that right?---*Yes.*

If you can then turn a further page. Do you see here a notice of assessment document?---*Yes.*

And Mr Lin, did you send this document to the Electoral Commission or did someone else send it to the Electoral Commission?---*I sent this document.*

Did you give those document to someone to send to the Electoral Commission or are you saying you sent it directly to the Electoral

Commission?---*My recollection is I sent it myself but in fact – what’s your question now?*

Did you give this document to someone to send to the Electoral Commission or did you send it directly to the Electoral Commission?---*I really can’t remember.*

10 And if we can turn to the next page, please. What about this document? Is this a document that you obtained to give to the Electoral Commission?---*I can’t recall.*

Well, can you recall giving this document to someone to send to the Electoral Commission?---*I really can’t remember.*

Now, Mr Lin, I think you told us earlier that the Electoral Commission asked you some written questions. Do I have that right?---*Yes.*

And can we go to page 38, please, of the Electoral Commission bundle.

20 THE INTERPRETER: We’re just talking about the water.

MR ROBERTSON: And is the document on the screen the written questions that the Electoral Commission asked you?---*Yes.*

When you received these questions, what did you do about them?---*I showed them to Jonathan Yee.*

30 And what did Jonathan Yee do about that, do about the questions?---*He told me to leave them there and he will have them answered in a few days.*

And what happened in a few days regarding these questions, if anything? ---*He wrote all the answers there and asked me to post it back to the Electoral Commission.*

So to be clear, to get the order of events, you received some questions from the Electoral Commission and showed them to Jonathan, is that right? ---*Yes.*

40 If we go to page 32, please, of this bundle, you’ll see that the cover letter for the questions is dated 4 May, 2017. Do you see that there? You see that there, Mr Lin, the date of this letter?---*Yes.*

And so is it right that you showed the questions to Jonathan some time in May of 2017 after receiving this letter?---*Yes.*

And then a few days later Jonathan told you how to answer the questions, is that right?---*He had them all written out and told me to just send it back to the Electoral Commission.*

And so Jonathan gave you a document that wrote out what you should answer to the questions on page 38?---*Yes.*

Now, did you give your lawyers today a copy of the document that appears on page 38? Let's have that on the screen, first, please.---*Yes.*

And that was a copy that had some handwriting on it, is that right?---*Yes.*

10 And you told your lawyers to give that document to me to have a look at, is that right?---*Yep, I gave it to, I gave it to my solicitor.*

Can we have on the screen, please, the marked-up version of the questions. And, Mr Lin, is this the document that you gave to your solicitor today? ---*Yeah, to my solicitor, yes.*

And this is the document that Jonathan gave you as to how to answer the questions, is that right?---*Indeed.*

20 Now, did he give it to you personally or did he just leave it for you to collect?---*He gave it to me personally.*

And where did that happen?---*At the Emperor's Garden.*

So did Jonathan contact you and tell you to come to Emperor's Garden restaurant to collect the answers to the questions?---*Yep, he rang me and told me to come.*

30 And you then came down to Emperor's Garden and Jonathan gave you the document we can see on the screen, is that right?---*Yes.*

And the document you gave your solicitors this morning had writing on the front of the page and the back of the page, is that right?---*Yes.*

And if we just turn the page please, in the back of the page is the writing that we can now see on the screen, is that right?---*Yes.*

40 And then writing that's a little bit further down that appears to be in Chinese characters, that's just an order that you've written down on the page, is that right?---*It says barbecue pork and roast duck and wonton soup noodle.*

Is that your handwriting or someone else's handwriting?---*Yes, my handwriting.*

I tender the document that appears on the screen.

THE COMMISSIONER: With or without the gravy? All right.

MR ROBERTSON: You have made me hungry, Mr Lin.

THE COMMISSIONER: The document, being the document said to have been handed, provided by Mr Jonathan Yee to Mr Lin will be admitted and marked Exhibit 274.

10 **#EXH-274 – COPY OF SCHEDULE TO THE NSWEC NOTICE
ISSUED TO JOHNNIE LIN WITH 15 QUESTIONS AND BEARING
HANDWRITTEN ANSWERS TO THOSE QUESTIONS**

MR ROBERTSON: Mr Lin, do you recognise the handwriting on this document?---*I have no idea.*

20 Can we then go back to the Electoral Commission bundle please. And just before that comes up on the screen, after you received the suggested answers from Jonathan, what did you then do about those answers?---*I took it home and asked my son to type it up and so I can send to the Electoral Commission. And then after that – I am not talking about, and after seeing this, my son hasn't spoken to me for two or three years after his has happened.*

Did you read the suggested answers before you gave them to your son to send to the Electoral Commission?

THE INTERPRETER: He's asking to repeat, shall I just repeat?

30 MR ROBERTSON: Yes, please.

THE WITNESS: *Yes, I have.*

MR ROBERTSON: Can we go please to page 40 of the Electoral Commission bundle. Mr Lin, if you have a look toward the bottom of the screen, do you see that there's an email from Alexander Lin to Peter Baragry?---*Yeah, that's my son.*

40 And did you ask your son to copy out the answers from the document that Jonathan gave you and send them off to Mr Baragry?---*Yeah. It looks like it was done by email.*

But it was you that told your son to type out the answers that Jonathan gave you and send then off to Peter Baragry, is that right?---*Yes.*

And if you just have a look at answer number 1, towards the bottom of the page that says, "No other income except lucky money," do you see that? ---*And tips as well but from pocket money.*

But is it right that you were simply asking your son to copy out and send to Mr Baragry the answers that Jonathan had given you?---*Yes.*

But you knew that one of the questions that Mr Baragry was asking you is whether it was you who was donating money to the Australian Labor Party, correct?---*Yeah.*

And what you told to Mr Baragry about that matter was not true, do you agree?---*Yeah, that was a lie.*

10

Why was it that you lied to Mr Baragry?---*Because I have already signed a lot of documents to say that I have made that donation.*

And if we can turn to the next page, please. If you have a look at number 15, it says, "Yes, Jonathan Yee and Ernest Wong." And that was in answer to the question, "Who asked you to donate to the Australian Labor Party and the Country Labor Party?" Did Ernest Wong ask you to sign any forms regarding this question of donations?---*No.*

20

Chief Commissioner, I apply for the directions that were made on section 112 of the Independent Commission Against Corruption Act in relation to the compulsory examinations of Mr Lin on 27 June, 2018 and 10 July, 2018, be lifted insofar as it would otherwise prohibit the publication of the fact that Mr Lin gave evidence on those occasions and insofar as it would otherwise prohibit publication of any question asked or answer given in this public inquiry.

THE COMMISSIONER: The two dates again? 27 June?

30

MR ROBERTSON: 27 June, 2018 and 10 July, 2018,

THE COMMISSIONER: Thank you. Orders were made by me pursuant to section 112 of the Independent Commission Against Corruption Act in respect of the compulsory examinations of the witness, Mr Lin, 27 June, 2018, 10 July, 2018. I consider it is necessary and desirable in the public interest to lift the restrictions and accordingly those orders are lifted.

MR ROBERTSON: To the limited extent that I have indicated.

40

THE COMMISSIONER: Just give me the formulation again.

MR ROBERTSON: Insofar as those directions would otherwise prohibit the publication of the fact that Mr Lin gave evidence on those occasions and insofar as it would otherwise prohibit publication of any question asked or answer given in this public inquiry.

THE COMMISSIONER: I lift the 112 orders insofar as they would prohibit the fact of the witness having given evidence in the compulsory

examinations to which I have referred and to permit questions and answers to be put in the course of the public inquiry.

VARIATION OF SUPPRESSION ORDER: COMMISSIONER'S DIRECTIONS MADE PURSUANT TO SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT ON 27 JUNE, 2018 AND 10 JULY, 2018 ARE LIFTED INsofar AS THEY WOULD PROHIBIT THE PUBLICATION OF THE FACT OF THE WITNESS HAVING GIVEN EVIDENCE IN COMPULSORY EXAMINATIONS AND TO PERMIT QUESTIONS AND ANSWERS TO BE PUT IN THE COURSE OF THE PUBLIC INQUIRY.

MR ROBERTSON: May it please the Commission. And I'll just observe in relation to at least one of those compulsory examinations, it was Commissioner Rushton rather than you as the Commissioner.

THE COMMISSIONER: Oh, yes. Thank you.

THE WITNESS: *I'm not sure if I follow what that meant.*

MR ROBERTSON: I am now going to ask you some questions, Mr Lin, about the private hearings you've participated before this Commission in June and July of last year.---*Yes.*

And so do you remember coming here last year and giving some evidence?
---*Yes, I have.*

30 Before you came here to give evidence, you were given a summons that told you that you had to come here last year to give evidence. Do you remember?---*Yes.*

After you received that summons, did you tell anyone about the fact that you had received the summons?---*No, because I was told that I cannot do so.*

40 Well, did you at least tell Jonathan that you had been given a summons to attend here for a private hearing last year?---*No, I haven't.*

So are you quite sure that after you got the summons to come to the private hearing here last year, you did not call Jonathan up or go and speak to Jonathan and say, "I have been told to come to the Independent Commission Against Corruption?---*No, I haven't done so because I just couldn't.*

Can we have Mr Lin's compulsory examination summons on the screen, please. I'm just putting a document on the screen for you, Mr Lin. Just a moment, Mr Lin, that was the wrong document. So Mr Lin, the document I

was asking you about before is the one that's now on the screen, the summons to appear and give evidence. Do you see that there? It'll come back on the screen in a moment, Mr Lin.---*Yes.*

And we'll just turn the page and do you see there's a date where Commissioner Rushton signed it, 13 June, 2018?---*Yes.*

10 And we'll just turn one further page. There's a little note saying that Mr Vickery, who is just sitting here, gave it to your wife the next day, on 14 June, 2018. Can you see that there?---*Yes.*

Now, after you got this document, but before you came here, did you speak to Jonathan about this document?---*I have, I haven't because I wasn't allowed to.*

Well, are you sure you didn't call Jonathan up on 15 June, the next day, to speak to him about this document?---*No, I haven't.*

20 In June 2018, you were no longer working on a full-time basis for Jonathan, is that right?---*Correct.*

Were you working for him on a casual basis in June of 2018?---*I should have.*

30 Can we go to the call charge records document, please. I'm just going to put another document on the screen, Mr Lin. And Mr Lin, can I just explain this document to you. This is telephone records from your telephone, and what they suggest is that you called Jonathan on 15 June, 2018, which is the day after you received the summons to give evidence in the private inquiry. Does that help refresh your memory that you may have sought to make contact with Jonathan on 15 June, 2018?---*In fact I, my memory could be mistaken. I have not remembered many things already.*

So are you saying it is possible that you spoke to Jonathan about your summons to attend the private hearing but you just cannot remember now? ---*Yes.*

40 Did you at least have a discussion with Jonathan at some point where Jonathan gave you suggestions as to what you should say to this Commission?---*I don't, I don't think so. To my recollection, no.*

Chief Commissioner, I tender the document that's on the screen, namely call charge records for period 14 June, 2018, to 29 June, 2018, between Mr Lin, Mr Yee and one other telephone number.

THE COMMISSIONER: Yes. The call charge records as described will become Exhibit 275.

**#EXH-275 – CALL CHARGE RECORDS FOR THE PERIOD 14
JUNE 2018 TO 29 JUNE 2018 BETWEEN JOHNNIE LIN,
JONATHAN YEE AND OTHERS**

MR ROBERTSON: Now, Mr Lin, when you attended in a private hearing
before this Commission, you told the Commission that you had donated
\$10,000 to the Australian Labor Party or Country Labor in 2015. Is that
10 right?---*Yes.*

But that was a lie, do you agree?---*Yes.*

You told this Commission that some of that money came from lucky
packets, do you agree?---*Yes.*

That was also a lie, do you agree?---*Yes.*

You told this Commission that the donation of \$10,000 was on \$100 notes,
20 do you agree?---*Yes.*

And that was also a lie, do you agree?---*Yeah, it was a lie.*

And you said that you receive \$200 to \$300 in lucky packet money per
week Do you agree?---*Yes.*

And that was also a lie, do you agree?---*Not really because I did receive
red packet money.*

30 Yes, but not 200 to \$300 in lucky pocket money per week.---*It depends.
Sometimes I get more, sometimes I get less, but I did get red packet
money.*

Yes, but you get red packet money at Chinese New Year and at other major
events, correct?---*Yes.*

You don't get red packet money every week, do you agree?---*Mmm, I
usually do get red packet money. The client would push the money into
your pocket when they have, they've received good service or when there's
40 a party. We did get pocket money afterwards.*

Whose idea was it to tell this Commission that you had made donations
from red packet money?---*I answered that question with reference to the
answers in the form that Jonathan provided to me.*

So are you saying that before you came to this Commission you looked at
the answers that you've given to the Electoral Commission and decided to
tell the same story, is that what you're saying?---*Yes.*

So the idea about the red packets came from the answers that Mr Jonathan Yee gave to you to say to the Electoral Commission, is that right?---*Yes.*

After you sent those answers to the Electoral Commission, did you have any other discussions with Jonathan or anyone else where they said, "You should stick to the story you told the Electoral Commission"?---*I don't think so.*

10 So it was your idea, was it, to tell this Commission the same kind of thing that you told the Electoral Commission, is that right?---*Yes.*

THE INTERPRETER: I just make it clear that the word "idea" came from him.

THE WITNESS: *Yeah, they were all my answers, I mean the answers that I provided last time I was, when I was here at the Commission.*

20 MR ROBERTSON: But to be clear, it was Jonathan who gave you the answers to tell to the Electoral Commission, is that right?---*Yes.*

And you decided to tell this Commission a story that was consistent with the answers that you told to the Electoral Commission, is that right?---*Yes.*

Did anyone tell you that that's what you should do?---*No.*

Now, do you know who Ernest Wong is?---*He's a member of parliament, that's all.*

30 How long have you known who Ernest Wong is?---*When I first came to Australia, he was studying at that time and he has worked in the Mandarin, Mandarin Club, Mandarin Club, and then he became a member of parliament.*

So you have known Ernest Wong for a very long time, is that right?
---*Yeah, I know this person existed since pretty much when I came here.*

Is he a friend of yours?---*No.*

40 Do you know whether he's a friend of Jonathan Yee?---*I, I have no idea.*

When is the last time you've seen Ernest Wong?---*Last month, in August.*

What was the occasion on which you saw Ernest Wong?---*That day I was called to work at the barbecue and noodle place, and the cashier told me, said to me, "Brother Wah, Jonathan asked you to go to the restaurant side." And I saw him, Jonathan Yee, at the restaurant side. So I asked him, "What

happened, boss? Why did you get me here, boss?” And then he replied that someone wanted to see me.*

And what happened then?---*I asked who that was, and then his reply was, “You will find out when you go in.”*

And what happened then?---*I went to the VIP room. I saw Mr Wong there and he was eating.*

10 Are you referring now to Mr Ernest Wong, who you saw in a private room at the Emperor's Garden Restaurant, is that right?---*Yes.*

And we're talking about the restaurant on the corner of Dixon Street and Hay Street, is that right?---*Yes.*

You had attended there from the barbecue shop, which is on Thomas Street, is that right?---*Yes.*

20 And so you are now in a private room with Mr Ernest Wong, is that right? ---*Yeah, Jonathan told me to go in.*

And at that time was there anyone else in the room or was it just you and Ernest Wong?---*No.*

30 Now, doing the best you can, what did Ernest say to you?---*So we started with hello greeting and then I sat down and then he asked me if I need to go up there. I said, “Yes.” He asked me how I am going to, how I am planning to answer the questions and I said, “I will answer as asked.” And then he said that it would be best for me to continue with what I have said last time.*

When he said last time, what was he referring to?---*Last time, as in what I have said when I was at the ICAC.*

In the private hearing last year, is that right?---*That's correct.*

What language were you having this discussion in with Mr Wong? ---*Cantonese.*

40 And are you quite sure that Mr Ernest Wong said words to the effect of, “It would be best for you to continue with the answers you have already given”?---*Yes.*

What else did Mr Ernest Wong say to you during that conversation?---*He said that if I don't follow what I have said last time then I will be in a lot of trouble.*

Did he explain what kind of trouble he was referring to?---*Trouble as in it's a lot of trouble now already.*

Did he say anything else that you can remember?---*What he meant was that I should follow what I said last time. He was like begging for me or requesting me to do so in order to help him.*

10 Can you remember whether he said anything else to you during that meeting?---*I appeared indecisive and then he said that he was grateful for my time to see him and asked me to help him.*

What did you say to Mr Wong during that meeting?---*I didn't say much, I just said that I will answer as the questions were posed to me.*

Is that the only occasion you have discussed the question of this Commission's investigation with Mr Wong?---*I have only met him face to face for one time. I, we, I don't have any contact with him normally.*

20 But you've met Mr Wong many times but are you saying there was only one time you have discussed this question of donations, do I have that right?---*I haven't really discussed any questions with him, but I was, I met with him in August on the request of Jonathan, he asked, where he asked me to go to the VIP room to see him.*

And this meeting happened after you had received a document telling you that you had to give evidence in this public inquiry, is that right?---*Yes.*

30 Do you remember what day of the week it was that you had this meeting? ---*I can't recall the exact date. I only recall it as some time in August.*

Do you remember whether it was on a weekday or on a weekend?---*I really can't remember.*

But it's clear in your mind that Ernest Wong's request of you was to continue with the answers that you had given to this Commission in your private hearing last year, is that right?---*Yeah.*

40 How did Ernest Wong know what answers you had given to this Commission in your private hearing last year?---*I have no idea.*

Well, did you have a discussion with anyone about the answers that you gave to this Commission in your private hearing last year?---*No. How can I remember so many things?*

Well, after the private hearing before this Commission last year, did you speak to Jonathan and tell him what you had told this Commission?---*No, I didn't.*

And you didn't speak to Ernest Wong about what was happening before this Commission after your private hearing?---*I haven't met him by then.*

But I'm trying to understand how Ernest Wong knew what you told this Commission in the private hearing.---*I don't know what he knew.*

But you are clear in your mind that he told you to continue the answers that you had given before this Commission in the private session last year, is that right?---*Yes.*

10

Do you know whether any other Emperor's Garden staff had meetings with Ernest Wong at about the same time as yours?---*I have no idea.*

Has anyone told you that Ernest Wong has spoken to them about the question of donations?---*No.*

You told us a little while ago that it was the cashier at the barbecue location who told you that Jonathan wanted to see you, is that right?---*Yes.*

20 What is the name of that person?---*I think her name was Eva. Eva. Eva.*

And do you know what her other name is?---*Wah or Wah. Madam Wah or Wah. We call her Madam Wah.*

Could you do your best to spell those two names for me?---*I think it's W-a-h, we call her Madam Wah, because she's a female.*

Do you know who Mr Huang Xiangmo is?---*No idea.*

30 You haven't read about him in the newspapers, for example?---*Yes, these couple of days, yes.*

THE COMMISSIONER: In relation to the discussion you had with Mr Wong in the VIP room in August, last August, when he said words to the effect of the answers you have already given, is it possible he was referring to answers you had given not in the private hearing but in some other way, at some other place?---*He did say that, he did say what I said, what I have told the ICAC.*

40 MR ROBERTSON: It's not possible that he was referring to what you had told the Electoral Commission rather than the ICAC?---*Not the Electoral Commission. I was very clear, he was referring to ICAC.*

You and I were discussing Mr Huang Xiangmo a moment ago. When did it first come to your knowledge who that person was?---*When I came to know about this person, when I went to see the solicitor.*

When you went to see the solicitor about coming here for the public inquiry, is that right?---*Yes.*

So was that this year or maybe was it last year?---*Sometime this year.*

THE COMMISSIONER: We have a photograph of Mr Huang Xiangmo, don't we?

10 MR ROBERTSON: We do. If we go to volume 3A, page 23. Mr Lin, have you met Mr Huang Xiangmo before?---*I don't know this person.*

Would you recognise what he looks like?---*I certainly didn't know this person, I don't.*

Can we have on the screen please volume 3A, page 23, which I have tendered.

THE COMMISSIONER: It's group photograph, isn't it?

20 MR ROBERTSON: Yes. It's Exhibit 24/7 for those working off that version.

THE COMMISSIONER: Just while there's a break, is Mr Wei Shi programmed? Mr Overall, you're patiently waiting. I'm not sure when we're going to be able to get to your client.

MR OVERALL: I understand it may be Tuesday.

30 THE COMMISSIONER: All right, okay. That's fine. Just so long as we've informed you, that's all.

MR OVERALL: Yes.

THE COMMISSIONER: I just wanted to make sure you're in the loop.

MR OVERALL: Yes, I'm keeping a watch on what's going on, and my client is available to come at any time that suits the Commission.

40 THE COMMISSIONER: Thank you. Thank you, Mr Overall.

MR ROBERTSON: We are presently still on program but I make note undertakings that that will continue to be the case for the remainder of the public inquiry.

THE COMMISSIONER: No. All right, we'll do our best.

MR ROBERTSON: But there was some changes made and we've informed my learned friend and the others who are relevant to that issue. I'm just

going to show you a photograph on the screen, Mr Lin. Do you recognise any of the individuals on this phone call?---*I, I, I recognise this one. Ernest Wong.*

THE INTERPRETER: Currently pointing to, I mean, the witness pointing to Ernest Wong.

10 MR ROBERTSON: So is Ernest Wong the gentleman in the grey tie that we can see second from the left?---*Yeah, yeah, that's him.*

And do you recognise anyone else in this photograph?---*I don't know any of them.*

THE COMMISSIONER: See the man the second from the right, the blue tie? Have you ever seen him in the restaurant where you work?---*I don't know this person.*

20 Not seen him before in the restaurant or anywhere else?---*No. Never seen this person before except on the newspaper.*

MR ROBERTSON: Mr Lin, you've told us that you didn't donate 5,000 or \$10,000 to the Australian Labor Party or Country Labor Party, correct? ---*No, I didn't.*

But did you donate any money to the Australian Labor Party in 2015?---*I don't recall.*

30 Is it possible that you donated some money to the Australian Labor Party by cheque in 2015?---*I don't think so because I would have a record on my cheque book.*

Well, to your recollection, have you ever donated money to the Australian Labor Party?---*I don't think so.*

Can I help you this way. Can we go, please, to the cheque of Mr and Mrs Lin. Do you see there, Mr Lin, a cheque that seems to be drawn from your cheque account with your wife? Do you see that there, Mr Lin?---*Yeah.*

40 Do you recognise the signature?---*Yeah, that's my signature.*

And what about the handwriting? "\$900 only". Do you recognise whose handwriting that is?

THE INTERPRETER: Witness pointing to "\$900 only", 9-0-0, and the signature.

THE WITNESS: *That is my, that was my signature, I mean that was my handwriting, but the ALP - - -*

THE INTERPRETER: The witness was pointing to “ALP, Chris Minns”.

THE WITNESS: *- - - that wasn't my handwriting.*

MR ROBERTSON: And what about the date? Is that your handwriting?
---*Yeah, that was my handwriting. The date was.*

I'm sorry?

10

THE INTERPRETER: “The date was.”

MR ROBERTSON: Do you remember signing this cheque?---*Yeah, yeah,
I do.*

When you signed this cheque were the words “ALP, Chris Minns” on the
cheque?---*No. No.*

Do you remember who you gave this cheque to?---*I gave to Jonathan
Yee.*

20

Why did you give a cheque for \$900 to Jonathan Yee?---*He asked, my
recollection was he asked me if I have a cheque account and I said yes, and
he asked me to sign a cheque in an amount of \$900, and he gave me back
900, and he gave me back \$900.*

THE COMMISSIONER: What was the \$900 meant for?---*I don't, I didn't
know. He asked me to write up, to draw a cheque of \$900 so I did. That's
all I knew. So that's why if you ask me if I have donated ever to the Labor
Party, I, I didn't think so. I just didn't have that intention to.*

30

MR ROBERTSON: So to be clear, Mr Lin, what else you gave this cheque
to Mr Yee, to Jonathan Yee, you had signed it and you had written \$900
only and the 9-0-0, is that right?---*Yeah, I signed this cheque of \$900 for,
for him. I have it to him and then, in return, gave me back, gave me back
\$900 in cash.*

And when you gave the cheque to him, to Jonathan, it didn't have the
words, “ALP, Chris Minns,” on it, is that right?---*No. It wasn't there.*

40

So why did you give Jonathan a cheque that was signed and had \$900 only
on it but didn't identify the payee?---*But Jonathan did say that he would
give me back the money.*

But did Jonathan ask you to leave the top line of the cheque blank, near
where it says, “Paid”?---*That, that wasn't my handwriting.*

No, no, but you gave Jonathan a cheque that had nothing next to the word, "Pay," is that right?---*That's right.*

Did Jonathan tell you to keep that area blank?---*Yes.*

Did he explain why he wanted that area blank?---*Well that wasn't important because he would give me back the \$900 anyway.*

10 What did you think the \$900 was for?---*I have no idea what that was for.*

Is it right that you didn't know that it had anything to do with the Australian Labor Party until I've shown you this cheque today?---*That's right.*

THE COMMISSIONER: Do you say he gave you \$900 in exchange for this cheque?---*He did.*

In cash?---*Yes.*

20 Did he explain why he wanted you to write a cheque and he would give you cash in the same amount?---*He didn't say. Well, he's the boss. He asked me if I have a chequebook, a cheque account and I said yes and he asked me to write up that cheque and in turn he gave me back the money.*

MR ROBERTSON: I tender the document that appears on the screen, being what appears to be a cheque drawn from the account of Mr and Mrs Lin, dated 8 March, 2015.

30 THE COMMISSIONER: A copy of the cheque, 8 March, 2015, \$900, paid to "ALP, Chris Minns" from Mr and Mrs Lin, become Exhibit 276.

#EXH-276 – CHEQUE SIGNED BY JOHNNIE CHI LIN DATED 8 MARCH 2015 IN AMOUNT OF \$900 MADE OUT TO CHRIS MINNS

MR ROBERTSON: Mr Lin, when we started this afternoon, I showed you a form that you had signed. Do you remember that?---*Yes.*

40 And it was a form that's had the words "Chinese Friends of Labor" on that form, do you remember?---*Yeah.*

Do you know whether any other Emperor's Garden staff signed a similar form?---*I have no idea.*

You haven't had any discussions with other staff where they have talked about things like forms and donations to the Labor Party or Country Labor, is that right?---*No.*

Mr Lin, do you agree that when you attended before this Commission in the private hearing, you told many lies to this Commission.---*Yes.*

Why did you lie to this Commission during that private hearing last year?
---*Because that was the way I explained things to the Electoral Commission, and I thought that was what I was supposed to say.*

10 When you say you thought it was what you were supposed to say, why did you think that was what you were supposed to say?---*Because only this way can I match what I said with what I have told the Electoral Commission before.*

And is it right that you were concerned that if you had told the truth that you might get in trouble for telling lies to the Electoral Commission?---*That's right.*

Have you been telling us the truth today?---*I'm telling you all the truth now.*

20 Why have you decided to tell us the truth today?---*First of all I'm a Christian, and as a Christian I shouldn't lie. I have been feeling a lot of pain in my heart. My wife, she has high blood pressure. She was very worried about anything, about the ICAC matter. She couldn't sleep. And my son, Alexander, he hasn't spoken to me for a long time already, for a few years. I, my health hasn't been good. I have skin cancer. There is no more need for me to tell any more lies. I don't want to be a Christian who lies and tells lies.*

30 THE COMMISSIONER: Why did you comply with or do whatever Jonathan asked you to do about this donation matter?---*I was worried that I would lose my job. It would be very hard for me to find a job at this age. When I was about 50 year old, I have been unemployed for a long period of time. It's really hard to find employment now because, due to the age, people will just choose to choose someone younger with better education background. So it's, it will be just too hard to find another job and I don't want to lose my job.*

40 Can I ask you just one other question about the discussion you had with Mr Wong in the VIP room. Before Mr Wong said to you to just give the answers that you've already given in the private hearing, did you first, were you first asked by him to tell him what answers you had given in the private hearing?---*No, he hasn't asked me.*

MR ROBERTSON: You told us that you haven't spoken to your son, Alexander, for some years. Is that right?---*Yes.*

Does that have anything to do with this donations matter or is that for some other reason?---*That was somehow related to the donation. Also, he was

born here. He's an Australian-born Chinese and they have different mentality. They dislike such, those behaviours.*

THE INTERPRETER: And I got him to clarify what sort of behaviour. He said, "To tell lies."

MR ROBERTSON: So are you saying that Alexander was unhappy that you were telling lies to the Electoral Commission, is that right?---*Yes.*

10 And how did he know that they were lies you were telling the Electoral Commission?---*It would have been impossible for me to donate \$10,000.*

So when you asked your son, Alexander, to copy out the answers that Mr Jonathan Yee had given to you, he was unhappy about that, is that right? ---*Yes.*

He was unhappy because he didn't think you should be lying to the Electoral Commission, is that right?---*Yes.*

20 And that's at least one of the reasons why he hasn't spoken to you for some time, is that right?---*Yes.*

Thank you, Mr Lin.

THE COMMISSIONER: Mr Soon, do you have any questions?

MR SOON: I have no questions.

THE COMMISSIONER: Thank you. That completes your evidence.
30 Thank you, Mr Lin. Thank you for your evidence. You're excused.

THE WITNESS EXCUSED

[4.35pm]

MR ROBERTSON: One formal tender, Chief Commissioner.

THE COMMISSIONER: Yes.

40 MR ROBERTSON: I'll tender what I've described as the Electoral Commission bundle in relation to Mr Lin, being annexures JL 1 to JL 9 of the statement of Peter Baragry.

THE COMMISSIONER: Yes, the Electoral Commission bundle in respect of Mr Lin, including Mr Baragry's statement, will become Exhibit 277.

**#EXH-277 – NSW ELECTORAL COMMISSION BUNDLE FOR
JOHNNIE LIN – BEING ANNEXURES JL 1 TO JL 10 TO THE
STATEMENT OF PETER BARAGRY DATED 20 SEPTEMBER 2018**

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: That it?

10 MR ROBERTSON: That's all from my part.

THE COMMISSIONER: Very well. I'll adjourn until 10.30 tomorrow.

MR ROBERTSON: May it please the Commission.

**AT 4.35PM THE MATTER WAS ADJOURNED ACCORDINGLY
[4.35pm]**