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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 MONDAY 30 SEPTEMBER, 2019

AT 2.00PM

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: Can I deal with the two formal tenders arising out of this morning. First, I tender the document between paged 15 to 20, inclusive of volume 3A in the public inquiry brief, being a series of cheques with payee as ALP, Chris Minns.

THE COMMISSIONER: Yes. The cheques payable to the Chris Minns account will become Exhibit 305.

10 **#EXH-305 – EMAILS ON 13 MARCH 2015 ATTACHING A SERIES OF CHEQUES MADE OUT TO PAYEE ALP CHRIS MINNS**

MR ROBERTSON: And I tender the NSW Electoral Commission bundle for Mr Jonathan Yee, being annexures JY1 to JY10 of the statement of Mr Baragry, dated 20 September, 2018.

THE COMMISSIONER: Yes. The statement of Mr Baragry, 20 September, 2018, will become Exhibit 306.

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#EXH-306 – NSW ELECTORAL COMMISSION BUNDLE FOR JONATHAN YEE – BEING ANNEXURES JY 1 TO JY 10 TO THE STATEMENT OF PETER BARAGRY DATED 20 SEPTEMBER 2018

MR ROBERTSON: Ready to continue with Mr Yee.

THE COMMISSIONER: Yes. Thank you, Mr Yee.

MR ROBERTSON: Mr Yee, to your knowledge did all of the money that was raised in connection with the Chinese Friends of Labor event of 12 March, 2015, end up in NSW Labor or Country Labor bank accounts or did some of it end up in other bank accounts?---To my knowledge it should be end up in NSW bank account.

10 Do you deny that any credit card forms in relation to that event were in fact processed through the Emperor's Garden merchant facility as distinct from an Australian Labor Party or Country Labor merchant facility?---I cannot remember that happening.

Can we have volume 3, page 215 on the screen, please. I'm showing you now another reservation form, this time from a Mr Frank Wong. Do you see that here?---Yes, I do.

20 Do you know who Fung Wa Wong, or Frank Wong, is?---I do not know. Do you deny that this credit card form was in fact processed through the Emperor's Garden merchant facility?---I do not recall it being processed at Emperor's Garden.

Do you recall that on any occasion associated with the Chinese Friends of Labor event that some credit card forms, whether one or more, were processed through the Emperor's Garden merchant facility?---I have no recollection of that.

30 You've never done that yourself. Correct?---No.

And you've never caused someone else to do it. Is that right?---That's correct.

Can we go, please, to Exhibit 306, the Electoral Commission bundle, and to page 44 please. Now, in June of 2017 the Electoral Commission invited you to participate in an interview. Is that right?---That's correct.

And you did participate in an interview. Correct?---Yes.

40 Could we just have page 44 of Exhibit 306 on the screen, please, the Electoral Commission bundle for Mr Jonathan Yee. Page 44, please. So, Mr Yee, you recall receiving the letter that's on the screen, 20 June, 2017 from the Electoral Commission. Correct?---Yes.

If we can go please to page 47 of the same bundle, do you see about six-tenths of the way down the page you send an email to Mr Baragry of 20 June, 2017, 2.12pm? Do you see that there?---Yes.

And you asked Mr Baragry, "Can I request the interview not be recorded?"
Do you see that there?---Yes.

Why was it that you were requesting that the interview with the Electoral
Commission not be recorded?---I didn't understand why it had to be
recorded.

10 As at the time that you received the letter from the Electoral Commission,
you intended to attend the interview and lie. Correct?---That's correct.

In point of fact you did lie to the Electoral Commission. Correct?---That's
correct.

You told a story pursuant to which it was said that persons who we now
know to be fake donors were in fact real donors. Correct?---Correct.

And so would you agree that one of the reasons you wanted Mr Baragry not
to record the interview was that you didn't want your lies recorded?---Yes.

20 Can we now please go to the Emperor's Garden Electoral Commission
bundle, Exhibit 243. And if we can start please on page 19. Mr Yee, I'm
just showing you a copy of a letter of 6 September, 2015 to Emperor's
Garden Pty Ltd. Do you see that there?---Yes.

You can see that about halfway down the page there's an indication of
amounts and receipt numbers as well. Do you see that there?---Yes.

30 Now, I asked you a question this morning about your original disclosure
form, in other words the one that was in your name.---Yes.

And my recollection of your response was that you weren't sure whether
you had tax invoices or receipts at the time of the original disclosure form.
Do you remember that?---That's correct.

And I think you were unclear as to whether you had the tax invoices with a
receipt number or whether you obtained a receipt number in some other
way. Is that right?---That's correct.

40 Can I suggest to you that you may well have received a letter of the kind
that we can see on the screen, a reminder letter from NSW Labor, in or
about September of 2015, but by that point in time you had never been sent
a tax invoice or receipt. Do you agree with that?---Possibly, yes.

That's a possibility but you still don't know one way or the other. Is that
right?---Well, the evidence shows me that I would have got the number
from this particular letter that was sent to me from NSW Labor.

Well, at least that's one way you could have obtained the receipt number, do you agree with that?---That's correct.

But are you saying it's still not clear to you, having seen these documents, whether you did receive tax invoices in about April of 2015 or not?---Oh, my recollection tells me that I received an email, but I could be wrong.

Your recollection is that you received an email with what attached to it?
---Tax invoices.

10

With tax invoices?---That's correct.

But you're not sure whether that's right?---Not sure whether that's right.

But you at least know that you had tax invoices or receipts after you requested them in 2017.---That's correct.

Can we go please to page 10 of this bundle, page 10? And here's an email from you of 20 November, 2015, attaching the lodgement for you and for Emperor's Garden Pty Ltd, do you see that there?---Yes.

20

If we then just turn the page, I take it this is your handwriting?---Yes.

This is your signature at the bottom of the page?---That's correct.

Turning the page. Again, your handwriting?---Yes.

And next page, again your handwriting?---Yes.

30 And so by those documents, you were declaring on behalf of Emperor's Garden Pty Ltd that that entity had contributed \$5,000 to ALP NSW, and \$5,000 – in fact, it says, \$5,000 to ALP NSW, and another \$5,000 to ALP NSW, correct?---Can I see the previous page?

Of course. We'll go back a page, see if both of them say "ALP (NSW)".
---That's correct.

And that declaration was false, correct?---That's correct.

40 And you knew it was false at the time that it was made, correct?---Yes.

Can we go, please, to page 16? Now, there was then another disclosure form, but this time it appears to be signed by your brother Valentine, do you see that on the screen?---Yes.

And is this your handwriting or is it Valentine's handwriting?---Valentine's handwriting.

So did you have any involvement in this form being completed and sent?---I didn't teach him how to complete it, but I would have asked him to complete it.

And if we can turn two pages down, do you see how this has got typewritten Emperor's Garden Pty Ltd and ALP NSW, et cetera?---Yes.

And did you prepare that typewritten document, or was that someone else?
---I don't believe I typed it up. Most probably my brother did.

10

And then if we go to page 21, Emperor's Garden also received a notice to produce from the Electoral Commission, correct?---That's correct.

And did you provide the response to that notice to produce, or did someone else do that?---I did.

And I take it that as part of that exercise you requested a receipt or receipts for Emperor's Garden Pty Ltd, correct?---Yes.

20

And we saw that request, or at least a record of that request, in the email that you and I discussed this morning, correct?---That's correct.

And is it right that in respect of the notice to produce response for Emperor's Garden Pty Ltd, you took responsibility for that, rather than, for example, sharing that responsibility with your brother Valentine?---That's correct.

30

Can we go now to Exhibit 249, the Electoral Commission bundle for Mrs May Ho Yee, and can we go please to page 12 of that bundle. On the screen now is a document called Amended Disclosure for a Major Political Donor dated 1 February, 2016, do you see that?---Yes.

Now, did you assist your mother in relation to this form, or was that someone else's - - -?---I assisted my mother.

So where we have the typewritten May Ho - - -

THE COMMISSIONER: When you say, sorry, what did you say? You - - -
?---I assisted my mother.

40

MR ROBERTSON: Assisted.

THE WITNESS: I assisted my mother.

THE COMMISSIONER: You assisted. Well, is that the right word to use, you assisted her? You made, you completed the form for her, didn't you?
---Yeah, that's correct.

She didn't have any input into it - - -?---No, she didn't.

- - - apart from signing it, is that right?---No, that's correct.

MR ROBERTSON: And we can see on this page some typed-in data, such as "May Ho Yee", and a date of 1 July, 2014. Was that you that typed in that data - - -?---That's correct.

- - - or is that someone else's?---That, that is mine.

10

I may have inadvertently said – sorry, I withdraw that. And if we turn the page, please, and then turn the page again. So again, is this you typing into this particular form?---Yes.

And so you said you assisted your mother, but in substance you completed the form in full and then asked your mother to sign it, correct?---That's correct.

Did you explain the form to your mother before you asked her to sign it?

20

---Yes, I did.

And what was your explanation to her about the form?---I said this was for the disclosure that we made early in the year.

THE COMMISSIONER: Did you tell her that it was full of false information?---No, I didn't.

But couldn't you even trust your own mother? I mean, what were you doing here, in effect, using your mother as some sort of defence mechanism against the Electoral Commission? That what it comes to, doesn't it?

30

---That's correct.

MR ROBERTSON: And so you knew at the time that you asked your mother to sign this form, you were procuring her to make false statements to the Electoral Commission, correct?---(No Audible Reply)

Did you explain to your mother that that's what you were asking her to do?

---In signing the declaration, I did say to her, "This is for a donation to the Labor Party but you don't have to pay anything." But I, if you say that, did

40

I explain exactly saying, "You're going to make a false declaration," no, I didn't.

Can we go to page 18. Now, the one I just showed you is on the wrong form and it was then fixed up on 26 August, 2016. Do we take it again it was you that did the typing on this particular form?---Most probably, yes.

Well, do you have a recollection of that or you're not sure one way or the other?---Well, the, the date is not, the typing I would say would be myself that did it.

And if we then turn to the next page and then one more page. Again, was this your typing on this form?---Yes.

10 And so this was a form that was declaring that your mother had contributed \$5,000 to Country Labor and \$5,000 to ALP NSW, correct?---That's correct.

And that of course was false, correct?---That's correct.

And you knew it was false at the time, correct?---That's correct.

Turning back to page 18. Do you see just underneath your mother's name, it says "Declare that all donations made," et cetera. Do you see that there? ---Yes.

20 And so you knew that this form amounted to a declaration as to your mother's donations, correct?---That's correct.

Did you explain that to your mother before you asked her to sign it?---No, I didn't.

But you at least knew that this form was declaring a donation that was never made, correct?---That's correct.

30 Then go to page 22. So your mother was also asked to produce documents, correct?---Yes.

And did you assist her in providing a response to that notice to produce? ---Yes, I did.

And if we go to, please, to page 27. Again, I take it that you procured the receipts that were asked for in paragraph 2, correct?---That's correct.

What about item 1, who took care of that material?---My mother.

40 So she procured that, you procured the receipts and then you sent it off to the Electoral Commission. Is that right?---That's correct.

How did you send it off to the Electoral Commission. Do you recall?---I can't recall. It was either by post or by hand or by email. Either, I don't recall.

Now, your mother was also required to answer some questions, correct? ---Yes.

Go to page 34, please. And do you recognise this letter as the letter by which the Electoral Commission was requiring her to answer questions?
---Yes.

And did you assist her in proving the responses to that requirement?---Yes, I did. Yes, I did.

10 Can we go to page 42. In fact, 41 first of all. Page 41 is the questions and if you then just turn the page, we then see a table with some answers. Do you see that on the screen now?---Yes.

Who prepared this document that's on the page?---I don't recall preparing the document but I would have gave the answers to my mother.

Directly to your mother or in some other fashion?---Maybe in consultation with my brother.

20 So to be clear, do you have a recollection of speaking to your brother regarding what your mother should say to the Electoral Commission?---Yes.

And so is it right to say that at least in relation to your mother, both you and your brother worked together in dealing with the Electoral Commission's responses?---Well, the responses was all mine, typing up this particular document is possibly my brother that typed it up.

So are you saying that you provided at least the concepts of - - -?---Yes.

30 - - - what should be responded to by questions. Is that right?---Correct.

But the physical exercise of typing out the responses and putting them in the table that we can see on the screen may have been someone other than you. Is that right?---That's correct.

Now, if you just have a look at the particular responses, if you look at the third one, do you see that the answer there to the denominations was \$100 bills. Do you see that there?---Yes.

40 So whose idea was it to give that response, that it was \$100 bills?---When this was, the NSW Electoral Commission I spoke to Ernest and Ernest said to say it was all in \$100 bills.

So let's get the timing of that right. So are you saying that at some point in time Mr Wong told you that you should tell the Electoral Commission that the donations were made in \$100 bills?---Yes.

And did Mr Wong also tell you that that's what you should tell the other fake donors to say?---That's correct.

Now, doing the best you can, when was that discussion with Mr Wong?
---Soon after receiving the letter from the NSW Electoral Commission.

And which letter are we referring to now, the letter requiring production of documents or the letter requiring answers to questions?---Providing a letter – the answers to questions.

10 So you're aware that a number of the fake donors were asked to answer questions by the Electoral Commission. Correct?---Yes, they all, when they received the document they came and saw me.

And you informed within short order Mr Wong that that had happened. Is that right?---That's correct.

So is it right to say that Mr Wong is being kept up to date by you on a regular occasion as to the progress of the Electoral Commission's investigation?---That's correct.

20 And so is it right to say that what happened in point of fact was that when one or more of the fake donors received correspondence from the Electoral Commission, they would draw it to your attention quite promptly?---That's correct.

And promptly after that occurred, you would draw that to Mr Wong's attention. Is that right?---That's correct.

30 Now, how would you draw that to Mr Wong's attention, would you call him up, send him an email, speak to him, how would that work?---Most probably I would ask him to come into the restaurant to have a talk.

Well, let's try and do a bit better than most probably.---I would ask him to come in.

Is it right that towards the latter part of 2016 and in the early part of 2017 Mr Wong was a regular diner at your restaurant?---Yes.

He would dine there at least a couple of times a week?---That's correct.

40 Just by the way, how does Mr Wong pay for his meals when he's there?
---Personal meals with family and friends, by credit card.

And you've qualified that by reference to personal meals, so is there another category of meals that he might pay for in some other way?---Anything, anything that's related to community, such as press conferences, committee meetings of different association, that will, we would have an account for Mr Ernest Wong there.

How does Mr Wong fill up that account?---Whenever he, he says this bill goes under his account, then we put it under his account.

But how does he pay money into that account, is that by credit card or by cheque or in some other fashion?---I believe, I believe he gave two times of \$5,000 over a three to four-year period. The last time he gave was, would be in early 2017 and I think he still has a few hundred dollars left.

10 Did Mr Wong make any contribution to that account towards the start of 2015?---Probably. In recollection most of the time when he gave those, that two bunch of money would be in early of the year, so he might of gave \$5,000 in early 2015.

Well, let me put it more specifically. In about February of 2015 did Mr Wong give you \$20,000 in cash to be applied to the credit of his account? ---No.

20 Are you quite sure about that?---I am 100 per cent sure. Each time is only \$5,000 and to my recollection the maximum he gave me was twice over the three to four years.

In terms of that account, how is the account maintained? In other words, who keeps a ledger or other document to see how much money has been taken out of the account from time to time?---When money comes in, there is a, they will write it manually onto a piece of paper, and whenever there's a deduction, it'll minus that particular account with the, say the bill's \$150, so 5,000 minus \$150, and it'll slowly count down to zero. When it reach zero, I'll tell Ernest that that's already reached zero.

30 And is that kept in some sort of hard copy ledger?---Yes.

And who is responsible for maintaining that ledger?---Generally Patricia.

Patricia Siu, is that right?---That's correct.

Does that ledger still exist?---Yes, it does.

40 How far back does that ledger go?---At, at the least, at the least to 2017, or may, even more, I'm not sure. I don't look into the ledger myself.

Well, how long has the account that we've just discussed existed for?---Four years max.

So it's existed till at least 2015?---Yes.

When was it first set up?---Around that time. Not before then.

So it may well have been set up towards the start of 2015, is that right?
---May of, may have.

And are you quite sure that it wasn't opened up with a down payment of
somewhere in the vicinity of \$20,000?---Definitely not.

The ledger that we've just discussed, presumably – does the ledger go all
the way back to the start of the account?---I cannot confirm that.

10 And what does the ledger look like? Is it in some sort of a book, or
something along those lines?---It's in a folder with all the receipts, and a
piece of paper writing down \$5,000 then slowly cutting down on, each time
it's deducted, there's a date on it and with the certain amount. I'm not sure
if the invoice number is actually written on it either.

But at least in relation to the last few years, there is an existing document
that maintains that count, is that right?---That's correct. That's correct.

20 Chief Commissioner, in due course, I'll submit that you should make a
requirement under section 35(2) of the Independent Commission Against
Corruption Act requiring the production of that ledger document. I might
ask Mr Johnston to draft a form of that order in due course.

THE COMMISSIONER: Yes, very well. How many, is there one ledger,
or are there several ledgers for each year, or what?---Only one ledger. Only
one ledger. Once the money's used up, then I'll ask him, "Do you want to
refill it?" If he doesn't want to refill it, then he'll probably say no, but the
last two years, I am pretty sure it's still there. It's in the, where we collect
the money, the cashier, at the 100 Hay Street.

30 What's it known as?---(No Audible Reply)

What is it known as or described?---It's just a folder with receipts, or a tax
invoice from the restaurant, and a basic ledger of the use of the money that
has been, been, we have been deducting from.

Well, I'm directing you to produce that ledger tomorrow.---Yes.

40 A formal summons will issue.---Okay.

But having made that direction, that's binding on you, so we'll make it
returnable for 10 o'clock tomorrow.---Okay.

**COMMISSIONER'S DIRECTION PURSUANT TO SECTION 35(2)
OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION
ACT REQUIRING THE PRODUCTION OF THE LEDGER
DOCUMENT BY THE WITNESS.**

MR ROBERTSON: May it please the Commission. Just to be clear, in terms of inputs to that account, is inputs into that account only by cash or only by credit card, or has there been a range of payment options?---From memory, it's cash.

Always cash?---Yes.

10 And never a sum like \$20,000?---No, there's only, there's only twice that happened from my recollection, and there's nowhere near \$20,000. Each time there's \$5,000.

So the total inputs to that account over the four or so year period - - -?
---Yeah.

- - - has been \$10,000, is that right?---That's correct.

20 And has always been in cash, not in credit card, is that right?---That's correct.

Are you sure that the Frank Wong credit card form that I showed you just after lunch was not an amount of money that found its way into that account?---I do not recall.

Well, are you clear in your mind that in the ledger, and for the account, it was only cash and wasn't credit card?---In my mind, yes, I'm sure it's cash.

30 If you assume from me that that particular form was in fact processed through the Emperor's Garden merchant facility, rather than through an ALP one or a Country Labor one - - -?---Ah hmm.

- - - do you have an explanation as to how that could have occurred?---I don't have an explanation.

It's not something that you've had anything to do with?---Not that I know of because if I do, if I processed it, I would have known.

40 And it's not something you arranged anyone else to do. Is that right?---I don't believe I arranged anybody at all.

In terms of the account that we spoke about a moment ago, obviously one of the ways that the account might be spent is through meals at your restaurant, correct?---Yes.

Has there ever been other amounts that have been debited to that account for things other than meals and drinks and the like at your restaurant?---Well, press conference which has a cost to it.

What I'm just trying to understand is the universe of debit that may be made out of that account. Food is an obvious one, drinks is an obvious one.
---Yep.

What else, if anything?---I would think, I believe it would be just food and drinks or, or hiring of the venue.

10 Any amounts that would come out of that account to third-party suppliers rather than to Emperor's Garden expenses?---Not that I know, no.

Well, on something like a press conference is it right that at least in a significant press conference one thing you might do, for example, is have lion dancers?---Not at a press conference.

Well, for example, if you were to do a walk through Chinatown, as has occurred from time to time and that you've organised from time to time, you might have some senior politicians but you might also have some lion dancers, depending, amongst other things, on the particular time of the year.
20 Is that right?---That's correct, but most of the time I believe Ernest pays them himself with cash.

So is it right, then, that so far as you can recall, expenses of that kind haven't come out of Mr Wong's Emperor's Garden account. Is that right?
---That's correct.

And are you quite clear in your mind that the only thing that comes out of that account are Emperor's Garden expenses and not other third-party expenses?---That's correct.
30

No payments to, for example, volunteers you might organise for community events or Labor Party events?---Well, volunteer as in, if it's a Labor Event, say for state election, and say Ernest wants to thank the volunteers, then he would have a meal at our place. So the meal would be paid for by that account.

So it might be a meal that comes out of the account but you wouldn't, for example, give someone \$50 out of that account to pay for, say, travel expenses or other things to go out to a particular voting booth. Is that right?---No, no. Well, when the money is in, then I have to explain to my
40 father why you have to retract that money back out and give it to someone and it gets complicated.

And by the sounds of it, the ledger that you're going to produce tomorrow morning will show the amount of money coming in and then it will have receipts that match the amount of money going out. Is that right?---Yes, yes.

And they're receipts I take it that are coming out of Emperor's Garden's systems?---Yes.

Is that a computerised system that does that?---That's correct. Point of sales.

10 So the point of sale system will say Mr Wong and others have spent \$150 on yum cha for a number of people, plus drinks et cetera, and it will come out of that?---Wouldn't go to the extent to say how many people or what, what specifically Mr Wong used it for, but it would definitely have an invoice saying how much food they have, what kind of drinks they had, what kind of food was ordered and stuff like that.

THE COMMISSIONER: Is the ledger written up on English or Chinese?
---It's, the ledger is in English.

20 MR ROBERTSON: Can we have the Electoral Commission document back on the screen. So looking at the second question, "How did you pay the donation?" "By cash." Whose idea was it to say that he donation was paid by cash as distinct from in some other way?---Ernest.

And so to take a step back to where we were before, is it right that you have a discussion with Mr Wong around about the time that the Electoral Commission is requiring people to answer questions?---I would have showed him the questions that was asked.

And again you said you would have. Do you have a recollection of in fact -
- -?---Recollection, yes, I do.

30 - - - sitting down with him and showing him those questions?---That's correct.

And do you recall where that happened?---At Emperor's Garden.

So at some point in time after the notices to answer have been provided, you are sitting down with Mr Wong and Mr Wong is identifying at least the nature of the answers that should be given to those questions. Is that right?
---That's correct.

40 And so it was Mr Wong, was it, that suggested the answer to question 2 that we can see on the screen, "Should be cash."---That's correct.

Did he explain why that should be the answer?---He didn't.

What about in relation to the next question, question 3, about \$100 bills. Is that again something that Mr Wong proffered as to what the answer should be?---That's correct.

And did he explain why?---No, he didn't.

What about the next one, refers to lucky money packets. Do you see that there?---Yes.

Whose idea was it to talk about lucky money packets?---Mr Wong.

Are you quite sure it was his idea, it wasn't an idea that you contributed to?
---No, it was Mr Wong.

10

But that idea of lucky money packets is an idea that you have parroted on many occasions, both to the Electoral Commission and this Commission. Correct?---That's correct.

And it's an idea that you have put forward to the fake donors to raise before the Electoral Commission and this Commission. Correct?---That's correct.

But are you saying it was wholly Mr Wong's idea to say that the source of the money or at least a source of the money was lucky money packets?

20

---That's correct.

Now, what about the rest of that answer, question number 4. Was it Mr Wong who gave the general idea about lucky money packets and then you and perhaps others used some poetic licence to add to it or was Mr Wong involved in a more detailed story of the kind that we can see in question number 4?---My recollection was that when I had the conversation with Mr Wong he said that, use lucky money, because we just passed Chinese New Year, that's a time that it's a cultural thing for Chinese to give lucky money to people that they know, especially when you work in a restaurant, they do get a lot of lucky money from customers and he said, "Why don't you use that as an answer to the payment that was made as a donation?"

30

Is it right to say that at least part of the reason for proffering lucky money packets as being a source of money was in the hope that people who might be investigating the matter who aren't necessarily from a Chinese backgrounds may be tripped up by that concept of lucky money packets?
---Yes.

40

And do you accept that you were at least part of the exercise in deciding that that was a good story to come up with to answer Electoral Commission's inquiries and this Commission's inquiries?---Yes.

And so it's not simply a case of you sitting down with Mr Wong and simply writing down a story that Mr Wong had created in full, you at least, you participated at least in part in the creation of that story. Correct?---Correct.

And not only participated in the creation of it, you had a very intimate role in trotting out that story both directly and through the fake donors that you arranged. Correct?---That's correct.

10 What about the next question about how long it took to save for the donation, is that a response that you came up with, Mr Wong came up with or someone else?---I don't recall telling them how long they could have saved the money up, it was up to them to decide how, how the money was, how long the money would take, because each person would be quite different I would say.

Well, I can help you this way by noting that your mother's response and your brother's response to this question are identical.---Okay.

Does that help?---I most probably would have asked them to write it that way.

20 But you don't have a specific recollection of that. Is that fair?---I don't recall.

But do you recall whether it was Mr Wong who proffered that response or was it Mr Wong and you who came up with the general story and you then, or perhaps someone else then took it on further to fill in the details?---Well, that answer, most probably myself that suggested to them if you put a month.

And what about the next question?---Myself.

30 So that was you that came up with that answer?---Yes.

But it was at least part of the story, wasn't it, that you had arranged a series of people to sign documents, but the story that you told to the Electoral Commission and initially told to this Commission was that it was you that went around and collected money from at least the Emperor's Garden straw donors. Is that right?---That's correct.

Now, was that a concept that you came up with, that Mr Wong came up with or was that a team effort?---That was Mr Wong's effort.

40 So that must have been something that was in place not so much at the time of the Electoral Commission's inquires in 2016/2017 but rather was a part of a story that had already been invented and agreed upon at some earlier time. Would you agree?---No. I recall that we had a conversation about the NSW Electoral Commission looking at the matter and it's then that we decided how the story should be.

So are you saying that at the time of signing the reservation forms on around March of 2015, the details of the story hadn't been hatched yet?---No, not yet.

And are you saying you didn't need to hatch the details of that story because for all you knew it would go through to the keeper and the Electoral Commission wouldn't notice that there was anything wrong. Is that right?
---That's correct.

10 And are you saying that you only hatched the details of the story with Mr Wong once the Electoral Commission was starting to investigate the matter?---That's correct.

And do you recall, did you hatch the details of the story after the notice to produce documents were given around that period of time or was it closer to when the Electoral Commission started requiring the answering of questions?---Closer to the time when the Electoral Commission was asking questions.

20 So at that point in time, you knew that you needed some sort of a story with a view of keeping the Electoral Commission at bay, correct?---That's correct.

And you knew that you needed a story that was at least broadly consistent amongst the straw donors, correct?---Yes.

And you then worked with each and every one of the straw donors that you arranged with a view to trotting out that story that you and Mr Wong had invented. Is that right?---Yes.

30 If you then have a look at the last question on this page, "Why did you donate on this occasion?" Who came up with that response?---Ernest.

So was that solely Ernest or did you contribute to that as well?---Oh, it will be Ernest.

So it was his idea, was it, to identify that the money was in support of, amongst other people, Ernest himself. Is that right?---That's correct.

40 If we can turn the page, please. And what about the first question on this page, on page 43. Who came up with that response?---Ernest and myself.

So that was another joint effort, was it?---Yes.

Can we go now please to Exhibit 242, which is Valentine Yee's Electoral Commission bundle. In terms of the invoices that ultimately found their way to you following your request, did you provide them to the Electoral Commission in precisely the same form that they were provided to you or

was any edits made to those documents before they were sent in?---It will be in the original form that it was sent to me.

You're quite sure about that?---To my recollection, yes.

10 Can I help you this way. One of the invoices that you send on your behalf in relation to Country Labor, when you sent it to the Electoral Commission in about March of 2017, was different to the one that was found by this Commission when this Commission conducted a search warrant on ALP headquarters at Sussex Street. Does that assist you at all in - - -?---No, it doesn't.

- - - recalling what may have happened in relation to those invoices?---I don't recall in relation to the invoice.

20 So you're quite sure in your mind that when you requested, in that email that I showed you, invoices with respect to you, your mother and others, that what you ultimately provided to the Electoral Commission was exactly the same as what you were provided by head office?---That's correct.

Now do you, can you recall who within head office provided you with the invoices that you then ultimately sent through?---I don't recall exactly who, but if you ask me to assume it will be Maggie because she's the financial controller.

But in terms of where your request at least in the first instance was directed, I think you told us a little while ago that you didn't have any direct relationship with the Finance Department, is that right?---Yes.

30 And is it right that your communications with head office would almost always be through Kenrick Cheah?---That's correct.

Now, does that help you in terms of recollection as to who you would have requested the invoices from?---Oh, I would have asked Kenrick Cheah to get those invoices, and then Maggie would have sent it to us, I would, that's the normal procedure.

40 So I think you at least accept that the contact that you would make with head office would be to Mr Cheah rather than someone else, is that right? ---That's correct.

Is it right, though, that you don't recall who responded to that enquiry, whether it was Mr Cheah, Ms Wang, or someone else?---I, well, from my recollection, I've, it was Ms Wang, but I, I could be wrong.

So are you saying you have a recollection, perhaps not a clear one - - -? ---Not a clear one, no.

- - - but a recollection that Ms Wang was the one that sent you the invoices that you requested towards the start of 2017?---I, I cannot recall if, whether the invoice was actually sent via email, or wasn't sent by post.

And is it right that you are not, you can't be sure at least sitting there now, who actually sent those to you, whether it was Mr Cheah, Ms Wang, or someone else?---I, I can't, cannot be confident who sent it to me.

10 Now you've told us that you helped at least a number of the straw donors respond to enquiries by the Electoral Commission, correct?---That's correct.

Now does that include in relation to your brother, or did your brother take care of correspondence with the Electoral Commission himself?---I would have advised him how to answer.

Can we just go to your brother's Electoral Commission bundle, Exhibit 242, page 8, please? Now, here's your brother's disclosure form of 12 October, 2015. Do you see that there?---Yes.

20 Now, did you invite your brother to fill this form out, or did he take it upon himself to do so?---I would have invited him to fill it out.

If you just then turn the page, do you see there we have one donation to NSW Labor for \$5,000, do you see that there?---Yes.

And that's in fact the end of the document that was provided to the Electoral Commission, and it doesn't have \$5,000 for Country Labor, I'll just draw that to your attention.---Yes.

30 Why was it that Valentine Yee was disclosing a single donation of \$5,000, whereas as we've seen with respect to you, Emperor's Garden, and your mother, disclosures were made of two donations, \$5,000 to NSW Labor, and \$5,000 to Country Labor?---Because at the time when NSW Labor sent us a letter specifying that we made those donations already, those fake donations.

So let's just go to the next page. Are you now referring to the letter that's now on the screen of 6 September, 2015?---That's correct.

40 But what's the explanation for the fact that, at least according to this letter, your brother donated one set of \$5,000, whereas the other fake donors that we've talked about had two sets of \$5,000, one to NSW Labor and one to Country Labor?---I don't have an answer to that, because I didn't decide who donated how much. It's only when NSW Labor sent us, when we requested for the invoice, they sent us the invoice, it's that I noticed that some people had \$10,000 as donation, and one or two others had \$5,000 donation, and I - - -

But it can't be pure coincidence that your brother fell within that second category of \$5,000 versus \$10,000.---Oh, what do you mean?

Well, you organised, I think, a total of 10 people to pretend to be donors?
---Yes.

And one of those was your brother Valentine, correct?---Yes.

10 And one of those was Harbour City Pty Limited, which is To Yip's company. Correct?---Yes.

20 And you at least now know I think that the Australian Labor Party and Country Labor originally disclosed that each of those donors, other than your brother and other than Harbour City Pty Ltd, donated a total of \$10,000 whereas Valentine Yee and Harbour City Pty Ltd were only shown as donations of \$5,000. You at least know that now, don't you?---I know that now and I know it when the letter came from NSW Labor how much we'd donated. The original plan was to find those particular straw donors to donate only \$5,000. I was quite surprised why there was an extra \$5,000 donated elsewhere.

But what I'm suggesting to you is it can't be a matter of pure coincidence that the two individuals or two persons that were recorded as donating \$5,000 rather than \$10,000 were one, your brother, who as you know, supports the conservative side of politics, not the Labor side of politics, and To Yip, who isn't a family member and isn't an employee of you.---I did not make up those sums who to donate how many, it's how I, how it was received from NSW Labor.

30 But you must have given some indication to someone, to someone involved in this scheme that the two people who were less excited about being involved in the scheme and more likely to spill the beans earlier than others, were your brother, a non-Labor Party supporter, and To Yip, a non-employee, a non-family member. Do you agree?---I don't agree. It's coincident. I did not speak to Ernest or Kenrick or whoever in the party to say, oh, only give him \$5,000.

40 Pure coincidence that it was those two people?---On, I didn't, I didn't make the sum up.

You must have given some indication, even if you didn't say put these guys down for 5,000 and put everyone down to 10,000, you must have given some indication to someone within the scheme that the two individuals or the two persons who are less involved in the scheme or less eager to be involved in the scheme and more likely to spill the beans early were your brother and Mr Yip. It couldn't be pure coincidence, could it?---I did not give anybody an indication of how much money each person should donate.

Are you saying it's pure coincidence that it was those two individuals rather than for example your mother, Ms Siu, Mr Shi or Mr Lin?---If it's a coincident or not, I cannot say to that, but I did not tell anybody to say \$10,000 to these people and \$5,000 to these two people.

10 I'm now putting it to you slightly different. I'm moving away from the idea that you said to someone put Valentine down for five, put To Yip down for five and put everyone down to 10. What I'm suggesting to you is you must have at least given some indication to someone in the scheme that the two
15 least willing individuals in this scheme of people who had signed the documents on your request, signed the reservation forms on your request, were your brother, a non-Labor Party supporter, and To Yip, the souvenir shop salesman from next door. Do you agree?---I don't agree.

Go, please, to page 29. Before we do that we'll go to page 24. Now, here's an amended disclosure from Mr Valentine Yee. Did you have any involvement in this document?---Most probably had.

20 Well, do you have a recollection of that or are you inferring from the fact that you were involved at pretty much every stage of the Electoral Commission process?---I was pretty much involved in every stage of the Electoral Commission.

And that's why you're inferring that you were involved in this stage. Is that right?---That's correct.

30 If we just turn the page to page 25. Again the typewritten content here, Valentine Yee, 1 July, 2014 et cetera, was that you that typed that out or was that someone else who typed that out?---I do not recall typing it out. I think my brother's quite capable of typing that particular out. I might of sent him the link from the NSW Electoral Commission website so he can fill that in.

So you may have told him that he needed to fill out a form that looks something like this but it's unlikely that you would have done the typing because you would expect your brother to be more than capable of doing that?---That's correct.

40 Now, your brother was also given a notice to produce documents, correct? ---Yes.

And can we go to that document, please, page 29 and then we'll go to page 34. Again, did your brother take care of responding to this notice to produce or did you have some involvement in it?---I would have assisted him in getting the receipt but the bank statements is personal stuff, I couldn't get it for him.

So that was probably the extent of your involvement in responding to this notice to produce, assisting him with item 2 and leaving it to him to do item 1. Is that right?---That's correct.

And then page 60, please. That's the notice to answer questions and we will go now to page 71. You will now see a document that is strikingly similar to the one that I showed you in respect of your mother. Do I take it the answers that you gave with respect to your mother's responses apply equally to the responses that we see on this page?---Yes.

10

So in other words - - -?---But the previous document you showed me also had Valentine Yee's response.

That's right. That was an error that Mr Valentine Yee seemed to make when he was copying over answers from one to another. He forgot to change his mother's name on one page, whereas he did it on the other page. And so are you saying that the, at least the content of the responses in the second column here, at least the concepts of it, were hatched either by Mr Wong along or by you and Mr Wong together?---That's correct.

20

And you communicated that to Mr Valentine Yee, your brother. Is that right?---That's correct.

And did you do that by typing out responses or handwriting out responses or did you just give Valentine the basic concept and then leave it to him to explain it by way of the responses to the questions?---From recollection, the Electoral Commission would have had a set of answers on a piece, on a piece of paper that was sent to all of the straw donors and they would give me that particular piece of paper, I would answer after speaking to Ernest, I would assist them in, well, I would fill in the answer for them. I wouldn't say assist, I filled in the answers.

30

You said answers a minutes ago, I think you meant questions. Is that right?---Oh, yeah, questions, that's correct.

So if we go to page 66, just so we can see that tangibly. So were you just referring to the questions that were being asked along the lines of what we see on the screen?---That's correct.

40

And so are you saying that in relation to your brother Valentine, did you speak to him about these questions orally or did you write down some suggested answers or how did you communicate to Valentine what he should say in responses to these questions?---Most likely I would, he would or print, have a printout of this and then I will write it on that particular piece of paper, telling him how to answer.

And then give it to Valentine with a view of turning it into a typewritten document. Is that right?---He chose to type it up.

Do you recall doing that specifically in relation to your brother Valentine or are you simply inferring that you did that because you may have done that for other people?---Oh, I specifically recall talking to Valentine and writing it for Valentine.

10 And is it right that that's not the only series of suggested answers to questions that look like this? For other of the pretend donors, you handwrote out some answers and asked them to send them off to the Electoral Commission. Is that right?---That's correct

Can we go now to Exhibit 283, Patricia Siu's Electoral Commission bundle. We might go to Teresa Tam's first if we can, Exhibit 287. And start on page 11, please. Again is this you typing into the form to give to Ms Tam? ---Yes.

And if we turn the page, please, and again, and again. Again that's you typing the form. Is that right?---Yes.

20 So is it right that you simply typed out the details to go into this form and then gave it to Ms Tam to sign?---That's correct.

Did you explain it to her beforehand, what the form was all about?---About the declaration that they made earlier in 2015.

Well, did you explain to Ms Tam that she was making a declaration to the Electoral Commission?---Yes.

30 And you accept of course that the declaration that you asked her to sign was a false declaration. Correct?---Yes.

And just to be clear, are you saying that on each occasion you asked one of the fake donors to sign a declaration form or a disclosure form, you made clear to them that they were making a declaration to the Electoral Commission?---They were making a declaration for the amount of money that we supposedly noted, but not in a sense that they're making a declaration saying they're lying.

40 Well, are you saying you at least made it clear to each of the persons you asked to sign these documents that they were telling the Electoral Commission that they had made a donation that they weren't in fact making?---That's correct.

Are you quite sure about that?---(No Audible Reply)

You have to answer out aloud.---Yes.

You accepted a little while ago that the fake donors had varying levels of English ability. Correct?---That's correct.

Isn't it the case that at least with some of these fake donors, you simply put a document in front of them to sign with no explanation at all as to what they were signing?---No.

You took advantage of your position of power over these employees and procured them to sign false declarations. Correct?---No.

10

At least in some cases these fake donors didn't know what they were signing. Correct?---No.

It's not like you translated the forms and made it clear exactly what they were signing up to. Do you agree?---I don't agree.

THE COMMISSIONER: What's your answer?---I don't agree.

20

Mr Yee, in relation to those last four or five questions which you denied the proposition being put to you, you did so on your oath, but the reality is, isn't it, that so far as the Electoral Commission was concerned, you were totally manipulating facts and events with all of the fake donors that you dealt with, that is misrepresenting to the Electoral Commission the truth concerning every aspect of the fundraiser. Isn't that true?---True.

30

So that they were represented these forms, we have one on the screen here for example, as being a disclosure declaration by donor. Although they signed them, these disclosures were not their disclosures, they were your disclosures, manufactured for them to sign up to. Isn't that right?---That's correct.

So, so far as the Electoral Commission investigation was concerned, it commences, doesn't it, with you, as it were, stage-managing these fake donors to sign forms in their name, but which was your handiwork, that is you filled in the details, the only thing they had to do with the disclosures was to put their signature at the bottom of them on your request. Correct?---That's correct.

40

At the next level, the declarations themselves as we've discussed were worthless, full of lies, correct?---Correct.

And that too had the effect of deflecting and interfering with the Electoral Commission investigations, didn't it?---That's correct.

So at two levels – both in stage-managing the declarations themselves and in the contents of what's in the so-called declarations – you at all times were intent on interfering with the Electoral Commission's investigation.---That's correct.

And at a third level, you further interfered with the Electoral Commission's investigations by in effect telling or coaching the fake donors as to what they would say when interviewed by the Electoral Commission.---That's correct.

That's right?---(No Audible Reply)

10 So from start to finish of the Electoral Commission process, you were running interference.---Yes.

Now in relation to one of the donors who was just mentioned a while ago, Ms Tam, she had been an employee of Emperor's Garden for some time, had she not?---That's correct.

For how long?---On a casual basis, but at least 10 years I would say.

20 And you again told her what to say and stage-managed her interfacing with the Electoral Commission, is that right?---Yes.

And then of course it got to a point, by the time this Commission was involved, she had, she ended up involving her husband as a supposed means of being able to fund donations that were made in her name, is that right? ---That's correct.

So in other words her husband got dragged into the investigation by this Commission, and that was at, and his involvement was at your suggestion, wasn't it?---That's correct.

30 That the Commission wouldn't believe that on her modest income she could possibly afford a donation of \$5,000, or as it turned out, \$10,000. So you manufactured the situation where the husband was now said to have contributed to the pot of money that allegedly went to the ALP. That right? ---Mmm, that's correct.

40 So again, totally stage-managing the process so far as Ms Tam is concerned, right through the Electoral Commission process and until she gave evidence in the public inquiry in this investigation, the investigation by this Commission, is that right?---That's correct.

Now meantime, this was all going on over quite some period of time, while the Electoral Commission investigating, and while this Commission was investigating, you were working, it seems, very hard to stage-manage all of the fake donors, that's right?---That's correct.

But the recipient, the beneficiary of the fraudulent scheme, was of course not you, it was the ALP, that right?---That's correct.

So all this time that you were stage-managing and interfering with the processes of the Electoral Commission and this Commission, who was being kept informed at head office that the money they held as beneficiary of the donation of \$100,000 was being the subject of intense investigation by the Electoral Commission and this Commission?---I do not know that answer to the question, because I only reported to Ernest Wong. Whoever he reports to I do not know, because a lot of the issues that were exposed through this Commission, which was reported on the paper, is the first time I know, such as 2016 or 2017 when Kaila had a conversation with Ernest.
10 That was the first time I know. Such as, even such as, as Dr Liao, that committed suicide because of this particular matter. That is the first time I know, on the opening address, when Mr Robertson said it. So there is a lot of information was not passed to me. I was requested to continue the cover-up. Yes, I, I have played my part but I did not say to my staff and say, "If you don't sign it, you'll be fired." I never said that to them. I, I, I would say, I can say that I had misused their trust by telling them, "Can you just sign this form for me?" That's what I did.

You see, what I'm putting is that the investigation by the two commissions was not limited to an investigation of a Mr Ernest Wong and Mr Jonathan Yee, it was an investigation into the ALP's connection with \$100,000
20 alleged donation and that you and Mr Wong are furiously working away, dealing with the Electoral Commission and this Commission from time to time throughout the process of the investigations, but at the end of the day what was being investigated were the rights and wrongs of the donation in the hands of the ALP. So there must have been ongoing information flow between you and Mr Wong and the ALP as to what was happening during the long course of these investigations. So what do you know about how Mr Wong was dealing with head office, about the investigations?---He did not
30 mention it to me. If, if I would know, I would definitely would say it here to save the headache for the trouble that I am already in and to save grief for the people that I have caused. Ernest is quite, in a way, in telling me stuff, not that he would say everything.

But you see, as I have tried to emphasise, the problem was the ALP's problem, wasn't it?---It is, definitely.

And yet it doesn't seem as though we've yet ascertained how head office, through you or Mr Wong, has been kept informed as to how it was
40 progressing and meanwhile \$100,000 sits in the ALP bank account. So you know that Mr Wong was closely connected with personnel anyway at head office at the relevant time.---That's correct.

And particularly you've mentioned Mr Clements, the former secretary.
---That's correct.

Well, you know, I dare say, from the multiple discussions you had with Mr Wong over the period of the two investigations I've referred to, who he was

keeping in contact with about the investigations at head office.---He never mentioned. I, if I can provide more information, I would really gladly because I know I am in big trouble at the moment and what I have done. If I knew the gravity of the thing, I, if I was smart, I wouldn't have done it.

MR ROBERTSON: Mr Yee, one of the reasons you said to us this morning that you involved yourself in this scheme was to help the party, correct?
---That's correct.

10 But are you seriously suggesting that whilst the Electoral Commission's investigation is going on, and whilst this Commission's investigation is going on, the architects of the scheme, the principal foot soldiers in the scheme, you and Mr Wong, are not keeping the party, by which I mean the head office, the party informed as to what's going on?---I will keep Mr Wong informed. Whoever Mr Wong keeps informed, I do not know.

So at the very least, you accept, don't you, that at each stage of the process that you knew anything about, whenever a notice to produce was given to one of the Emperor's Garden employees, notice to answer questions et
20 cetera, you were promptly reporting back to Mr Wong?---Ernest straight away.

Can we go back to the Exhibit 287.

THE COMMISSIONER: Just before you do, before I forget. Going back to Ms Tam, you were aware at a slightly later stage when her husband was summonsed to attend the compulsory examination of this Commission, did you tell Ms Tam that her husband should maintain the lie in the compulsory examination?---I didn't. I actually spoke to Ernest. From recollection
30 Ernest would probably have spoken to Ms Tam on the issue of how, how

MR HALE: Well, I do, I do object to that part of it. It is speculation.
"Most probably would have spoken to Ms Tam."

THE COMMISSIONER: Yes, well, I've emphasised many times, that sort of evidence doesn't impress me at all.

MR HALE: I appreciate that, but nonetheless I make the objection.
40

THE COMMISSIONER: Anyway, it's on the record. Well, yes, I understand what you're saying. But you were involved, weren't you, in Ms Tam's husband's requirement to attend this Commission?---Yes, I was.

Her summons for the compulsory examination was served on 6 June of 2009 [sic] that's this year, and on the following Sunday, 9 June, she met with you and Mr Wong, did she not, to discuss the fact that her husband

now had been summonsed to this Commission?---I cannot recall, but yes, we would have met up.

You don't dispute that?---I don't dispute it.

Well, then the question became, now that Mr Tam finds himself involved in this mess, he'd better have a lawyer. Is that right?---Yes.

10 And you offered to get him a lawyer, didn't you?---Yes.

And you did, did you?---I got him a solicitor to get a lawyer for him.

Right. So he ended up with a lawyer?---That's correct.

Who paid for his lawyer?---I didn't pay for his lawyer.

Well, who did?---She did herself.

20 You say it wasn't funded by you or Mr Wong to your knowledge?
---Are you saying for this public inquiry?

No, no, the compulsory examination that Mr Tam was required to attend.
---Oh, okay, that's the private inquiry.

It was part of this investigation.---Private inquiry. I, it would be money from Mr Wong.

Did he tell you that, or how do you know?---Mr Wong?

30 How do you know it came from, it was funded by Mr Wong?---He gave me \$3,000 and I gave it to Teresa.

I see.---And then Teresa told me there's still \$800 missing.

40 And then are you aware from Mr Wong or from Ms Tam that there was another meeting after the meeting of 9 June when Ms Tam met with Mr Wong and he provided her with a script for her husband to use in giving evidence in the compulsory examination, are you aware of that?---Ms Tam will probably show me if Mr Wong have gave something to him.

Well, I'm asking you for your knowledge about this, that after you and Mr Wong had interviewed Ms Tam when she said I've now got a summons for my husband, there was a follow-up meeting or another meeting shortly thereafter in which Mr Wong presents the hapless Mr Tam with a script or statement, this is your story, Mr Tam, go and tell it to the Commission. Did you know about that?---Ms Tam would have told me afterwards, after he'd seen Mr Wong.

Before or after, you think it was after that you became aware of it?---I, I don't, I wouldn't be at the same, that meeting where Mr Wong gave that script but Ms Tam would definitely tell me afterwards and I can recall a piece of paper most probably in Chinese.

Right. Yes, that's right.---Yes.

So she was the one who made you aware of it after the event?---Yes.

10 You would agree that that was a disgraceful piece of behaviour, to force somebody, force upon somebody a statement and suggest that they use it - - -?---Yes.

- - - in this Commission.---Yes.

That's just part of the story of running interference, isn't it, of both commissions, that you and Mr Wong have been engaged in.---That's correct.

20 MR ROBERTSON: We'll go, please, to Exhibit 286. You referred in answer to one of the Chief Commissioner's questions a moment ago about a document that you recall connected with Mr Tam and the compulsory examination. Is the document that's now on the screen the document that you were just referring to?---It looks like the same document that Ms Tam showed me.

So you at least agree, don't you, that this is a document that gives instructions in Chinese as to what story should be given to this Commission in a compulsory examination, correct?

30 MR HALE: Could I object to that question in that form? The description perhaps is going a bit far. It's a document which sets out certain aspects. My learned friend perhaps went a little bit too far in his description of it.

THE COMMISSIONER: I don't know if you were here.

MR HALE: I was.

THE COMMISSIONER: Well, it was translated.

40 MR HALE: Yes, yes, I do understand.

THE COMMISSIONER: What's wrong with the question? What's wrong - - -

MR HALE: I do understand and I do understand what the evidence was, but at this stage the Commission wouldn't necessarily accept that the evidence was precisely as given by Ms Tam. My only concern is the description that

my learned friend now gives it, which is reflective on Mr Wong in circumstances about which this witness can't really give any detailed evidence.

THE COMMISSIONER: I'll allow the question, Mr Hale.

MR ROBERTSON: Mr Yee, you can read the Chinese language, is that right?---Not all.

10 But you have a sufficient appreciation of the Chinese language to understand at least the gist of the document that's on the screen, correct?
---Yes.

And do you agree that at least the gist of the document on the screen is it's providing instructions as to what should be said?---I'll just have a quick glance.

Please.---Can you repeat the question again?

20 Do you agree that at least the gist of the document on the screen is to provide instructions as to what might be said in response to inquiries by this Commission?---That's correct.

Can we have, please, have the tax invoice on the screen now, please. I think you said in response to one of the Chief Commissioner's questions that either you or Mr Wong arranged for legal advice for Mr Tam, is that right?

---Well, at that time, I actually spoke to Mr Wong, and Mr Wong said, "Can you give John Zhang a call?" which is the primary, I don't know how to say it, lawyers for the company that, director, say, say a director of that
30 particular company, CMI.

So let's just deal with it in stages. So you became aware that in June of 2019 Mr Tam had been summoned to attend a compulsory examination before this Commission, correct?---Yes.

And you drew that to the prompt attention of Mr Wong, is that right?
---That's correct.

40 And then someone arranged for Mr Tam to have legal representation, is that right?---No, Mr Wong asked me to give Mr Zhang, which is the owner of this particular law firm, John Zhang, to give him a call and say, "Can you assist one of my staff in representing him in front of the Independent Commission Against Corruption?"

So Mr Wong sent you in the direction of CMI Legal Pty Ltd, is that right?
---That's correct.

And you spoke to them, did you?---Yes, I, at a function in Chatswood, I've spoke to one of his partner – was it Peter? I can't remember his name – that was attending a, a Rotary function, a Rotary Club changeover dinner at, inside the Chinese restaurant at Westfield, which his partner attended, I spoke to him there. And he, well, basically took over from there.

And then I think you mentioned something about the payment of the bills of CMI Legal Pty Ltd?---Yes.

10 And who paid that?---Ernest.

And how was that paid?---He gave me \$3,000 cash.

And what did you do with that \$3,000 in cash?---I gave it directly to Teresa.

And did Teresa tell you what she did with that \$3,000 in cash?---No, he just said that, she said that, "Oh, it's, it's still \$800 missing." The, the, initially, she said the bill was going to be \$3,000, and then when I gave her the money, she said, "Oh, it's \$3,800."

20

And do you know how the remainder of the bill, which appears to be about \$822, was met?---I believe it's not paid yet.

The document on the screen suggests that it's been paid. That may or may not be right.---Well, no, I mean, Teresa would have paid it, this document, by herself with her own account or whatever needs that - - -

But you didn't top it up?---No.

30 And to your knowledge, Mr Wong didn't top it up?---I spoke to Mr Wong and said to him that there's still 800 and something dollars left. Well, \$800 specifically, \$800 left, and he said, okay, and he'll, he'll do, deal with it, you know, on a later stage, which, because he still hasn't dealt with it.

So Mr Wong indicated that he would deal with the additional amount of the bill above \$3,000, is that right?---That's correct.

40 And are you saying he, Mr Wong has told you that he has not done that yet, or - - -?---No, well, when I spoke to him after he gave me 3,000, I gave it to Teresa. Teresa said to me that there's still \$800 left, because the actual bill is 300, \$3,800. Then I said to Mr Wong, "Oh, apparently the bill's not 3,000, it's \$3,800. There's still \$800 missing. When you have the," oh, basically, "When you have the money, can you forward it to Teresa?"

And is that the last you've heard of it, is it?---Yes.

THE COMMISSIONER: Do you know where Mr Wong got the money - - - ?---No.

- - - to pay for the lawyer, or whether he paid out of his own pocket, or was he passing it on from somebody else?---I wouldn't know. I, he only gave me 3,000, and I'll, I would guess it'll be from his own money.

It's all right, don't guess.---Okay.

MR ROBERTSON: I tender the document on the screen, being a tax invoice from CMI Legal Pty Ltd, dated 13 June, 2019, addressed to Ming,
10 M-i-n-g, B-i-u, B-i-u, Tam, T-a-m.

THE COMMISSIONER: Yes, the tax invoice of CMI, 20 June, oh, sorry, June, 2019, will be admitted, become Exhibit 307.

#EXH-307 – TAX INVOICE FROM CMI LEGAL PTY LTD ISSUED TO MING BIU TAM DATED 13 JUNE 2019

20 MR ROBERTSON: Back to Exhibit 287, please, Ms Tam's Electoral Commission bundle, page 23. I think you confirmed this a moment ago, Mr Yee, but I'll just be clear, the Chinese language document I showed you a little while ago - - -?---Yes.

- - - you have a recollection of being given a document that looks like that document by Ms Tam, is that right?---I wasn't given a document, I was, it was shown to me by Ms Tam.

30 So at some time in, what, June of 2019, Ms Tam showed you a document that looked like the one that's on the screen, is that right?---I would, I would, oh, well, on the day that she received this, she would immediately if not the following day show me that she received this particular document.

So you have a recollection of seeing a document that looked like the one on the screen, is that right?---Yes.

But you were shown it rather than given a copy of it, is that right?---Yes.

40 Exhibit 287, please, page 23. So we get up to Ms Tam's notice to produce, and you'll see now on the screen a letter dated 23 September, 2016, to Mr Smithers of the Electoral Commission, do you see that there?---Yes.

Who wrote the text of this letter, do you know?---I did.

So is it right that you, what, typed it up on a computer?---Yes.

And you gave it to Ms Tam to sign. Is that right?---That's correct.

And did you then send it off to the Electoral Commission or did you leave it to her to do that?---I cannot recall if I sent it off or left it to her to do it.

Did you explain to Ms Tam what you were proposing to write?---Yes. I did.

And did she participate at all in the content of the document that she signed or did that all come from your side?---I'll just have a quick read.

10 THE COMMISSIONER: Sorry, could you move a bit closer or just speak a bit - - -?---Okay. This - - -

What was your answer?---I said can I just have a quick read.

Oh, yes.---Teresa didn't have any input. I typed that up, document, by myself.

MR ROBERTSON: So you'll see in the second sentence it says, "My husband and I together had made two donations of \$5,000 each." Do you see that there?---Yes.
20

Whose idea was it to bring her husband into this matter of donations?
---When it was asked, I spoke to Ernest. We, we would have come up together with, well, the suggestion would be from Ernest and then I would pass that message to Teresa in typing up this letter.

Well, in the next sentence it says, "These donations was made in support of my good friend, the Honourable Ernest Wong, MLC." Do you see that there?---That's mine.

30 And is it right that Ms Tam was not in fact a good friend of Mr Wong?
---That's correct.

And I take it that her husband was also not a friend of, a good friend of Mr Wong. Is that right?---That is correct.

So at least the idea of bringing the husband in must have been your idea rather than Mr Wong's, correct?---No. I consulted it with Ernest.

40 Well, prior to 23 September, 2016, to your knowledge did Mr Wong know who Mr Tam even was?---No, but why I say that is because Mr Wong would have asked, Mr Wong asked if whether they had family members, could they contribute. Then I would say, "Oh, she's married to Mr Bill, Mr Bill Tam, and they have two daughters."

Well, this is not something that you can simply blame Mr Wong, I suggest, it's something that you invented because you knew both Ms Tam and her husband. Do you agree?---I suggested that to Mr Wong.

And so the kernel of the idea may well have come from Mr Wong but it was your idea to bring Mr Tam into the story. Do you agree?---If you put that way, yes.

Now, if we then go just to the next page. We see there one of the invoices. Again, was this an invoice that you acquired or was it one that Ms Tam, wrongly spelt there as Ms Tay, gave to you?---I can't recall. I recall based on the email that I sent to Labor, requesting, well, I should say, the call that I spoke to Mr Cheah in relation to the invoices were in relation to Emperor's Garden, myself, my mother, my brother and Harbour City. I don't recall asking an invoice for Teresa or the other straw donors.

Did you perhaps ask for those invoices from Mr Wong rather than directly from head office?---I could have but I don't recall.

Can we go to Exhibit 302, please. I'm now showing you an email from you to Mr Wong of 25 September, 2016. Do you see that there?
---Yes.

20 And does that refresh your memory that in relation to the four individuals we can see on the screen, you asked Mr Wong for invoices to those people?
---Yes.

Why was it that you asked Mr Wong for those invoices rather than asking head office for them as you did in 2017?---I can't answer that. I don't know why.

Did that request of Mr Wong bear fruit, in other words did invoices get received as a result?---I believe so. I can't recall exactly how these were, these invoices after the request was received.

Do you recall who, if you did receive them, do you recall who you received them from?---Head office. I don't have a recollection of who I received them from.

Do you have any recollection of receiving invoices directly from Mr Wong rather than from someone at head office?---I think you're suggesting Mr Wong. Probably, I don't know. I can't - - -

40 No, I'm just asking the question. I'm not putting it to you in a particular - - -?
---I cannot recall who I received it from.

Well, can we go back to Exhibit 287, the Electoral Commission bundle for Ms Tam. I just want to show you the invoices as they were sent to the Electoral Commission. Can we go to page 27.

Now, here's an example of one of them. Can I just draw your attention to the description. You see there it says, "Donation to Chinese Friends of

Labor Country Labor Chinese Launch, 12 March, 2015.” Do you see that there?---Yes.

Now, there was no such thing as a Country Labor Chinese Launch 12 March, 2015, was there?---No, there wasn't.

The name of the event was the Labor NSW Chinese Launch. Correct?
---Yes.

10 Do you have any explanation as to how then this invoice refers to an event that didn't happen?---I don't have an answer for that.

Well, can I add this piece to the puzzle. The invoice that you can now see on the screen has a different description to the description in the copy of the invoice that was recovered by way of a search warrant this Commission executed at the Sussex Street office.---Yep.

20 Do you have any explanation as to why that description might have changed?---I don't know.

Are you quite sure in your mind that you didn't or no one under your direction or control dodgied up an invoice, by which I mean got some document and then changed the text on it?---I don't recall in asking anybody to do that. If, if I would have done it, why wouldn't I change the, the surname to Tam to make it more correct, because it's, it's wrong, it's got Tay.

30 So are you saying that at least to your knowledge – I withdraw that. You have no recollection of seeking to create a document like a tax invoice or receipt to support the reservation forms or any of them that you caused to be issued?---No, definitely not.

Can we go now to Exhibit 277, Mr Lin's bundle. And we'll start, please, at page 12. Another disclosure form, 27 January, 2016. Your handwriting or someone else's handwriting?---It's not my handwriting.

But did you at least assist Mr Lin in completing this document?---Yes.

40 If we turn over two pages, your handwriting or someone else's handwriting?
---Someone else's handwriting.

But did you tell Mr Lin what to write on this piece of paper?---Yes, I did.

And does the same answer apply to the next page?---Yes.

And again, did you explain to Mr Lin what this form was and why you were asking him to sign it?---I said to him that it was for a declaration that we made early in 2015.

So you referred back, did you, to the reservation form that you'd asked him to sign in the past?---That's correct.

Are you quite sure you gave these explanations that you've been saying?
---I'm quite sure I gave a, well, if I've given a document to someone to sign, it's normal for someone to say, "What's it for?"

10 Well, is it, amongst this group of people? Isn't it the case that the fake donors, both amongst family members and amongst employees, are people who trust you?---Yes.

You've deliberately chosen people, if not for the \$100,000 set of fake donors then at least for the Minns fake donors, people who you knew for a substantial period of time, correct?---That's correct.

People you have a close relationship with, either as family members or as long-standing employees?---That's correct.

20 So they're each people who at least implicitly trust you. Do you agree?---I agree.

And you must at least agree that you abused their trust in putting documents in front of them that were false and asking them to sign them. Do you agree?---Yes.

30 And I suggest to you that at least on some occasions, you provided no explanation in relation to the documents at all, you simply put documents in front of these individuals and you abused the trust that they had in you by simply saying, "Sign here." Do you agree?---I agree in abusing the trust but I will give even a little bit of explanation to what they're signing.

So do you say on each and every occasion you provided at least some explanation so that the signatory knew at least the general nature of the document they were signing. Is that your evidence, is it?---Even if it's the simplest explanation, saying, "It's for the disclosure that you signed early in 2015," yes. Probably not to the full detail.

40 Well, you at least accept that you didn't give all of these individuals a full explanation in such a way as to understand the details of what they were being asked to sign about?---Not a full explanation.

So you may have given a general idea that this was a form regarding disclosure of donations, for example, correct?---That's correct

But not a more detailed explanation as to the more specific implications of the document. Is that right?---That's correct.

Can we go to page 17, please. So Mr Lin was also given a notice to produce documents, correct?---Yes. That's correct.

And you also assisted Mr Lin in responding to that document, correct?
---That's correct.

Go to page 24, please. Now, this is document to Mr Peter Smithers, 25 September, 2015, who wrote the text of this document?---Me.

10 And so do I take it that part of the story that was recorded in this document is a story that you and Mr Wong invented?---That's correct.

But it was you that typed out the details and presented them to Mr Lin to sign. Is that right?---That's correct. Besides one part was that the, "On a weekly basis, I have a practice of saving \$100 cash aside." That was, that's what Johnnie normally does. That's what he told me. So basically I am saying after discussing with Mr Wong, I, I would go back and discuss it with Johnnie or whoever that person is and that particular \$100 aside is something that he does do.

20

So are you saying that Mr Lin actually contributed to the story that we can see on the document that's on the screen?---That's correct.

Did any of the other pretend donors contribute to the stories or was it just Mr Lin who added that kind of detail that ended up in writing?---On a general basis, just Mr Lin.

30 So in terms of the individuals that assisted in working with you and coming up with the story to be told to the Electoral Commission or to this Commission, it was only Mr Lin who provided any substantive detail. Is that right?---Well, just that part because I didn't know he had three sons. It's only that, those part that he provided because I didn't know he had three sons. I know one of his sons.

But it's not just the three sons, isn't it, it's also the \$100 cash aside on a weekly basis. Is that right?---That's correct, yes.

40 But other than that, what we see on the screen is all you and Mr Wong, is that right?---That's correct.

And does that include the second to last paragraph that starts, "Over the years, I choose to donate to the Labor Party to support our Chinese candidate, Ernest Wong," do you see that there?---That's correct.

And is that a Mr Wong invention or a - - -?---That's my invention.

- - - Jonathan Yee invention, or a bit of both?---Jonathan Yee invention.

Now Mr Lin was also asked to answer some questions by the Electoral Commission, is that right?---That's correct.

Can we go to page 38, please? And is that the questions that Mr Lin was asked?---To me it looks like the questions that were asked.

Now, you then provided a handwritten document that identified the answers that you wanted Mr Lin to give to these questions, is that right?---That's correct.

10

Can we go please to Exhibit 274? Is this your handwriting on the document on the screen, Exhibit 274?---Yes, it is.

And so this was you telling Mr Lin what he should say in response to the Electoral Commission's enquiries, is that right?---That's correct.

And did you provide a document like this in relation to each of the persons who were asked questions by the Electoral Commission?---I don't recall everyone, but most likely I would.

20

So you at least did it on a number of occasions, is that right?---That's correct.

And you at least made it clear to each of them who were asked questions how you said those questions should be answered, is that right?---That's correct.

30

And on at least some occasions, you did that in writing, using a document that looks similar, a marked-up document of the kind that we can now see on the screen?---That's correct.

But it may be that on other occasions, you gave oral advice as to the answers that you said should be given to the Electoral Commission's enquiries, is that right?---That's correct.

THE COMMISSIONER: In supplying answers on behalf of the straw donors in the way we see on the screen there, do you accept you were acting improperly?---Totally.

40

MR ROBERTSON: And in terms of the process of coming up with those answers, is that a exercise that you did on your own, or that you did with, or did you do with anyone else?---This one was definitely, I did it on myself.

So you sat down with a copy of these questions, and you worked out what the answers should be, is that right?---That's correct.

But is it right, though, that that was in the context of previous discussions you'd already had with Mr Wong, as to the general story that should be told, is that right?---That's correct.

So we just take an example, if you look at question number 10, the answer you give for denomination is \$100 notes, do you see that there?---Yes.

And was that your invention or was it contributed to by Mr Wong?---Mr Wong.

10

So just to understand how that works practically, you started to realise that various of the fake donors were being asked questions by the Electoral Commission, correct?---That's correct.

And you brought that to the prompt attention of Mr Wong, correct?---Yes.

And together you worked out what story should be given both by you directly and also by the other fake donors, correct?---That's correct.

20

And you followed that story by suggesting answers to the various fake donors, such as the ones that we can see on the screen, is that right?---That's correct.

Go back to Exhibit 277, please, and go to page 40, please. Now towards the bottom of the screen is Mr Lin, who's – Mr Alex Lin, who's Mr Johnnie Lin's son, dutifully responding in the terms that you've identified. Did you have any involvement in the sending of this email, beyond the document that we saw a moment ago?---No, I didn't.

30

Can we now please go to Exhibit 245, and to page 9. Now, again is this a form that you assisted Mr Mo fill out?---Yes. I didn't fill it out for him but I would definitely have assisted how, I showed him how it should be filled out.

So that's his handwriting, not your handwriting. Is that right?---It's not my handwriting. I'm not sure if it's Mr Mo's handwriting.

And if we can go to page 15, and then two further pages down, what about the handwriting on this page?---It's not my handwriting.

40

Not your handwriting?---No.

But did you at least tell Mr Mo what should be on, what should be written on the document?---Yes.

And you're saying that you explained to Mr Mo what the form actually was?---I explained to Mr Mo that the forms are for the earlier declaration made in 2015.

And again you assisted Mr Mo in responding to a notice to produce that was issued by the Electoral Commission. Is that right?---That's correct.

And also a response to a notice to answer questions. Is that right?---That's correct.

10 And if we go to page 43 where we can see the questions, we see a similar set of questions, slightly different, but a series of questions like what we've seen before. How did you communicate the suggested answers to Mr Mo, if indeed that's what you did?---I would have, I would have had a copy of, Mr Mo would have gave me a copy, I would have writ it on it.

In a similar way to what we saw in the previous document?---Mr Lin, that's correct.

But again it was you who provided suggested responses to each of the questions that we can see on the screen. Is that right?---Yes.

20 And it was you that drafted the answers. Is that right?---That's correct.

But they were drafted in a context of discussions that you had with Mr Wong as to the story that should be told to the Electoral Commission. Is that right?---That's correct.

288, please, starting at page 10. Again is this a document you assisted Mr Shi with?---Yes.

30 And turning two pages down, your handwriting or someone else's handwriting?---It's not my handwriting.

And next page, your handwriting or someone else's handwriting?
---It's not my handwriting.

But you at least accept that you have told Mr She what should be written on this document. Is that right?---That's correct.

Page 17. Again not your handwriting. Correct?---No.

40 But did you assist Mr Shi with the document we can now see on the screen?
---Yes.

And go down two pages. Again not your handwriting?---No, it's not my handwriting.

Next page, again not your handwriting?---No, not.

But you accept that at least in communications between what I might call the Emperor's Garden set and the Electoral Commission, you were involved every step of the way and you are in effect controlling the communication between those fake donors and what's occurring with the Electoral Commission. Would you agree?---Yes.

Page 22, please. So Mr Shi was also given a notice to produce. Correct?---Yes.

10 And you assisted him in responding to that notice to produce?---Yes.

And if we go to page 29. See there, there's a handwritten document. It's dated 6 September, 2016, but it seemed to have not been sent in until about November of 2016. Do you see that on the screen?---Yes.

Who came up with the text of this document?---I didn't come up with the text, I didn't write that either.

20 You didn't come up with the text of this particular one. Is that right?---No. I didn't write it either.

And so it's not your handwriting?---Definitely not my handwriting.

When's the first time you saw the document just now on the screen?---Just now.

So you don't have any recollection of seeing it before now?---No, I don't.

30 You do have a recollection of assisting Mr Shi in responding to the notice to produce. Is that right?---Yes.

But you don't recall either writing this document or giving any input into the document that's not on the screen. Is that right?---That's correct

And can we go now to page 48. Again, we have some further questions being asked by the Electoral Commission, this time of Mr Shi. Do you see that there?---Yes.

40 And if we turn to page 50. Have you seen this document before?---I, I could have typed it for him.

You could have typed it for him, is that what you said?---I could have.

Do you have a recollection of doing that?---It looks like my style, that's why. I, I've got a recollection of assisting people in typing but exactly to which particular person, I don't recall but this looks like my style of thing.

Is it right to say that for all of the fake donors who are or were Emperor's Garden employees, you provided suggested responses to the question?
---That's correct.

And you provided those suggested responses in a few different ways. Sometimes you'd give a handwritten suggestion, correct?---Yes.

Sometimes you actually typed the email yourself, correct?---I typed the document. I set it up, yeah.

10

Well, on at least one occasion you typed in a draft email to be sent by the pretend donor. Is that right?---I do not deny that but I cannot recall if I have typed that in email, specifically in an email.

You don't have a recollection of getting one of the fake donors to log into their email account and you typing out responses to the Electoral Commission?---I don't deny it but I can't recall whether I did or not.

20

But at least in relation to the documents on the screen, you accept that the content came from you. Do you agree?---Yes.

And are you saying it may be that the particular document was prepared by you or it may be that the particular document was prepared by someone else but on your instructions. Is that right?---Yes. Looks like prepared by me.

Looks like it was prepped by you because this is the kind of formatting and font and like that you ordinarily used. Is that right?---That's correct.

30

And Exhibit 237, please.

THE COMMISSIONER: Mr Robertson, the witness has been taken through an immense amount of detailed material today. I think after this segment you're on now, we might call it a day?

MR ROBERTSON: That's precisely what I was going to suggest then anyway. Exhibit 237, page 10, please. In fact page 11, I'm sorry. Here we have Mr To Yip's document. Again, did you assist Mr Yip in completing this document?---Yes.

40

And is it your handwriting or someone else's handwriting?---It's not my handwriting.

It is what, sorry?---It is not my handwriting.

It is not your handwriting. Turn the page. How about the typing, "ALP NSW," is that yours or someone else's?---I, I would have assisted him doing that. I, I don't recall exactly doing it, but I, I, I'm saying I would have assisted him. It could, most, most probably would be me typing it.

Do you recall where you were when you asked Mr Yip to fill out this document?---In his, oh, probably I filled it out prior to taking it to him to sign. So I would have done it in my office.

But did you go to him, to his souvenir shop, to have it signed - - -?---That's correct.

10 - - - or did he come to you?---I would have, I, I, I would have went to his shop to ask him to sign it in his shop.

Now, Mr Yip was also given a notice to produce, correct?---That's correct.

And you assisted him in responding to that notice to produce, correct?---To my knowledge, yes.

And you recall I showed you the request that you made of head office to obtain a receipt for Harbour City Group?---Yes.

20 So do we take it that that was one of the things you did by way of assistance to him responding to the notice to produce?---Yes.

Go to page 31, do you see there a letter to Mr Baragry of 4 March, 2017?
---Yes.

Who wrote the text of this letter?---I didn't write the text of this letter.

30 Did you give any suggestion to Mr Yip as to what should be said?---I would have gave him a suggestion or to what to, what to say.

So the story about paying \$500 but putting down a \$5,000 table, was that Mr Yip's invention or your invention or a combination of the two?---I don't think Mr Yip was part of the invention.

Can you say that again?---I don't think Mr Yip was part of that invention in making up the \$5,000 table.

40 So it was you that came up with the idea that he should say that although he signed a form that says \$5,000, he in fact donated only \$500, and that was the explanation – the fact that it was a \$5,000 table was the explanation for why he signed the document that he signed?---That's correct.

Just taking a step back from all of these individual documents, you would agree, wouldn't you, that what you were seeking to do at every stage of the Electoral Commission inquiries was to conceal what had already happened, in other words, people signing forms saying that they'd donated money when they had not donated money at all, would you agree?---I agree.

And you put pressure on family members, employees, and a friend in the case of Mr Yip, to sign false documents to cover up the scheme that you and Mr Wong were involved in, correct?---I, I didn't pressure them. I misused their trust. I, I abused their trust. But I did not pressure them and say, "If you don't sign, I won't be your friend," and "If you don't sign, then you'll be fired."

10 But you at least took advantage, didn't you, of your position as a person that these individuals would trust?---Yes, definitely. That's definitely.

And you went so far as to abuse the trust that your brother and your mother held in you, correct?---Correct.

On multiple occasions in respect of your mother, you caused her to sign, and you encourage her to sign, false documents. Do you agree?---I agree.

20 And in doing so, at least you put family pressure on your mother and on your brother to do things to support you.---I not only put family pressure on my mother and brother, I actually have got a lot of people involved that unnecessary pressure that I've given them to their, not only to the people that assisted me, but also to their family, which some, some, I don't think we'll be ever friends again.

You must at least accept that by being engaged in this scheme, you've put incredible pressure on your employees and on your family members, do you agree?---I don't agree in putting any pressure on them to sign anything.

No, but by - - -?---I, I, I - - -

30 - - - abusing their trust and seeking for them to sign documents that you knew that were false, you've caused at very least significant amounts of stress to the fake donors, correct?---That's correct.

And not just to employees, but to very close members of your family, do you agree?---That's correct.

That's the examination for today, Chief Commissioner.

40 THE COMMISSIONER: Yes, very well. Mr Yee, you're required to return tomorrow at 10 o'clock.---Yes. 10 o'clock, yes.

Thank you. I'll adjourn.

THE WITNESS STOOD DOWN

[4.10pm]

AT 4.10PM THE MATTER WAS ADJOURNED ACCORDINGLY
[4.10pm]