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COMPULSORY
EXAMINATION

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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC
COMMISSIONER

COMPULSORY EXAMINATION

OPERATION AERO

Reference: Operation E18/0093

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 8 NOVEMBER, 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.

THE COMMISSIONER: Take a seat.

MR ROBERTSON: Commissioner, Alex Wood attends in response to a summons issued to him.

10 THE COMMISSIONER: All right. This is a compulsory examination of Alex Wood for the purpose of an investigation of an allegation or complaint of the following nature. Whether from January 2015 officials of the New South Wales Branch of the Australian Labor Party, members of Chinese Friends of Labor, political donors and others have entered into or carried out a scheme to circumvent prohibitions or requirements under part 6 of the Elections Finding Expenditure and Disclosures Act, 1981, relating to political donations.

Now, Ms Li, do you seek authorisation to appear?

MS LI: Yes, Commissioner.

20 THE COMMISSIONER: And he seeks a section 38 declaration?

MS LI: Correct, yes, please.

THE COMMISSIONER: All right. I think what we'll do is, we'll have the interpreter sworn in and then the witness.

<GAR MAN (JOANNE) LUM, sworn

[2.14pm]

30 THE COMMISSIONER: Now, you'll take an oath?

MR WOOD: *Oath, please.*

<ALEX WOOD, sworn

[2.14pm]

THE COMMISSIONER: Thank you. Take a seat.

I propose to make some directions. Pursuant to section 31A of the Independent Commission Against Corruption Act, I direct that the following persons may be present at this compulsory examination. Commission officers, including transcription staff, the witness, Madam Interpreter and
10 the witness's legal representative, Ms Li.

I also propose to make a direction under section 112 of the Independent Commission Against Corruption Act. The direction will prevent those present today, other than Commission officers, from publishing or communicating information relevant to this compulsory examination. It will permit Commission officers to publish or communicate information for statutory purposes or pursuant to any further order made by the Commission. The direction may be varied or lifted by the Commission without notification if the Commission is satisfied that it is necessary or
20 desirable to do so in the public interest.

Being satisfied that it is necessary and desirable in the public interest to do so, I direct pursuant to section 112 of the Independent Commission Against Corruption Act that the evidence given by this witness, the contents of any exhibits tendered, the contents of any documents shown to the witness, any information that might enable the witness to be identified and the fact that the witness has given evidence today shall not be published or otherwise communicated to anyone except by Commission officers for statutory purposes or pursuant to further order of the Commission.
30

**BEING SATISFIED THAT IT IS NECESSARY AND DESIRABLE IN THE PUBLIC INTEREST TO DO SO, I DIRECT PURSUANT TO SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT THAT THE EVIDENCE GIVEN BY THIS WITNESS, THE CONTENTS OF ANY EXHIBITS TENDERED, THE CONTENTS OF ANY DOCUMENTS SHOWN TO THE WITNESS, ANY INFORMATION THAT MIGHT ENABLE THE WITNESS TO
40 BE IDENTIFIED AND THE FACT THAT THE WITNESS HAS GIVEN EVIDENCE TODAY SHALL NOT BE PUBLISHED OR OTHERWISE COMMUNICATED TO ANYONE EXCEPT BY COMMISSION OFFICERS FOR STATUTORY PURPOSES OR PURSUANT TO FURTHER ORDER OF THE COMMISSION.**

THE COMMISSIONER: Ms Li, can I take it that you've explained to your client the extent and limits of section 38?

MS LI: Yes, we have just had that discussion in the past.

THE COMMISSIONER: Thank you. And you've made very clear to him, Mr Wood, that if he give false or misleading evidence he commits a very serious offence - - -

MS LI: Yes.

10 THE COMMISSIONER: - - - for which the penalty can be imprisonment for up to five years?

MS LI: Yes, Commissioner.

20 THE COMMISSIONER: Thank you. I'll make that declaration now. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by him during the course of his evidence are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

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

THE COMMISSIONER: I should also tell you, Mr Wood, that if you breach the non-publication order that I made under section 122 of the Act, you will commit a criminal offence. Do you understand that?---*I understand.*

40 MR ROBERTSON: Mr Wood, I would just like to first explain what I intend to do today and into next week.---*Thank you.*

You will see that today is a private hearing, not a public hearing.---*I understand, thank you.*

And the Commissioner has just directed you that you are not to disclose anything that happens during this private hearing. Do you understand?---*I understand. I will abide by the direction.*

I will then call you in the public inquiry during the week beginning 9 December, 2019.---*I understand.*

And what I am going to attempt to do in this private hearing is ask you some questions to make the time in the public hearing a little quicker.---*I understand.*

10 During the course of this examination today, I want you to listen very carefully to my questions and answer those questions. I don't want you to give speeches or lengthy explanations. I just want clear answers to the specific questions that I ask. If you do not understand any of my questions, just say so and I will clarify the question. But if you understand the question, I want you to answer the question and only the question. Do you understand?---*I understand.*

Who is Leon Teh?---*My accountant.*

20 When you say, "My accountant, is he your personal accountant or the accountant for Wu International Investments Pty Ltd or both?---*He does both.*

What is his role in relation to Wu International Investments Pty Ltd?
---*Accountant.*

And in his accounting role, what particular functions does he perform?
---*Do all the tax return for our companies.*

30 Do you know Mr Teh well?---*Relatively so, yes. In, in terms of, in relation to the tax matters of the company.*

Well, more than that, he knows you personally, do you agree?---*No personal relationship.*

He knew you well enough that you asked him to be a referee when you applied to be a Justice of the Peace. Do you agree?---*I agree, yes.*

40 Do you agree that you have met with Mr Teh many times?---*Yes. When the company has to do the tax return, at the time when the company needed to do the tax returns.*

And at the time that the company needs to do tax returns, you will meet with Mr Teh, is that right?---*Yes. When he needed to see me we would meet up.*

You have met with him many times to discuss matters of taxes and tax returns, is that right?---*Yes.*

And you've been to his office many times to discuss matters of that kind, is that right?---*Yes.*

When you have met with him, you have usually gone with other employees of Wu International, is that right?---*Yes.*

When Dr Liao was alive you would attend many meetings with Dr Liao and with Mr Teh, is that right?---*Yes.*

10 And after Mr Liao passed away, you have attended many meetings with Mr Teh and with Mr Kenny Zhan, is that right?---*Yes.*

Also at meetings with Mr Teh had been Mr Benjamin Pan, is that right?
---*Yes.*

And Mr Benjamin Pan is one of the internal accountants for Wu International Investments, is that right?---*Yes.*

20 Is it right that Mr Pan will often make contact with Mr Teh to ask for advice and assistance on taxation matters?---*Yes.*

Is it right that as well as meeting Mr Teh to deal with taxation matters, from time to time you have met with him to discuss responses to inquiries by the Electoral Commission?---*Very rarely, very rarely. I don't recall whether that has happened or not.*

30 Do you accept on at least one occasion you met with Mr Teh to discuss inquiries made by the Electoral Commission?---*Mr Teh has requested for me to help him and then I got John, the accountant, to help him.*

Mr Teh asked you to help with what?---*Steve Tong asked me to help him, and so I got John, the accountant, to help him.*

THE COMMISSIONER: Sorry, who was that?---*Steve Tong.*

But who was the accountant?---*Leo Tan. Leo Teh.*

MR ROBERTSON: Is that T-e-h?---Teh.

40 From the firm Teh and Ng, is that right?---Yeah. *Yes.*

So to be clear, are you saying that Mr Tong drew to your attention to some enquiries from the Electoral Commission and that you arranged for Mr Teh to help with those enquiries, is that right?---*I, at that time, I have consulted Dr Liao, and then I got the accountant to help him.*

So let's just be clear. Mr Tong asked for some assistance of you in relation to enquiries by the Electoral Commission, correct?---*That's right.*

And you asked Dr Liao to assist in that matter, correct?---*I, I have, yes, yeah, yeah.*

And you also asked Mr Teh to assist with that matter, is that right?---*Yes.*

10 And you then attended a meeting with Mr Teh and Dr Liao regarding that matter at Mr Teh's office, is that right?---*I really cannot recall whether or not I was there, but Steve Tong and Dr Liao went, and I'm not sure if I did as well.*

So you at least know that there was a meeting at which Dr Liao and Mr Teh attended regarding Mr Tong, is that right?---*Yes.*

And how do you know that?---*Dr Liao told me so.*

Is it possible that you were in attendance at that meeting as well?---*In my recollection, no. I really haven't attended.*

20 Do you at least agree that it was common for you to attend meetings with Dr Liao and Mr Teh?---*Teh, the accountant Teh, mmm, yes.*

And do you at least accept that it was possible that at one of those meetings, you discussed Mr Tong?---*Maybe yes, maybe no. I really can't remember.*

30 You at least know that Dr Liao set up a meeting with Mr Teh to seek Mr Teh's advice regarding Mr Steve Tong. Do you agree?---*He asked me to repeat, so if - - -*

I'll put the question again. Do you agree that Dr Liao let you know that he was setting up a meeting with Mr Teh, the accountant, to seek advice regarding Mr Tong?---*Yes, he did.*

And do you agree that it was, it is possible that you attended that meeting? ---*I disagree that I have attended this meeting and I just do not recall having attended this meeting.*

40 Well, are you saying you deny ever being at a meeting of that kind or are you simply saying you don't recall one way or the other?---*I think it's more likely that I do not recall about having attended this meeting and also there was no reason for me to attend, I did ask Dr Liao and he said that, he asked me not to be so involved about this.*

Can you just clarify what you mean when you say Dr Liao told you not to be involved in this?---*He said that had nothing to do with me.*

THE COMMISSIONER: What was your understanding as to the reason why they were meeting?---*They said that the donation was made in accordance with the law and wondered why it had turned out to be something problematic or illegal so they want to find out about the question to see if it was legal, reasonable and sensible.*

10 MR ROBERTSON: Can I just be clear about Mr Tong's communications with you regarding this matter. I think you said that Mr Tong asked for your help with an inquiry from the Electoral Commission. Do I have that right?---*Indeed.*

And what was the nature of that inquiry that Mr Tong wanted your help with?---*What Mr Tong said was, the main problem was, to his understanding Mr Liao should have assisted him in handling the matter. So why was there still problem and therefore he came to me to see if Dr Liao has indeed helped him deal with it.*

20 Is it fair to say that on the occasion that you are talking about when Mr Tong spoke to you, Mr Tong was angry?---*To be honest he is always angry with different people. He, he is quite irritable.*

But on this occasion he was angry at you because he had inquiries from the Electoral Commission, do you agree?---*For him, yes, but for me, that's not right.*

He was angry at you, do you agree?---*Well, that might be his, his way of expressing whether he is angry or not, I am not sure, but I am telling you that this is how he communicates. He's usually irritable.*

30 He was angry at you, wasn't he?---*He might be angry at me but to be honest, I am angry at him too.*

I'm going to keep asking the question until I get an answer. He was angry at you, wasn't he?---*Can I say I don't know or must I choose between yes or no?*

He was angry at you, wasn't he?---*Apart from choosing between yes or no as the answer, can I say why - - -*

40 He made it clear to you that he was angry at you, do you agree or not?---*I disagree that he should be angry with me. I haven't done anything to him.*

THE COMMISSIONER: No, just a moment. Sorry, you go, I've cut you off.

THE WITNESS: *Why would he be angry with me?*

THE COMMISSIONER: That wasn't the question. Let me ask it. Was he or was he not angry with you, yes or no?---*I don't know whether he was angry with me, me or not. If you say that he was angry at, at me, then maybe he was angry at me.*

But you are saying that you don't know?---*No, I don't know. And he always spoke like that.*

10 MR ROBERTSON: He was angry at you because you told him that you would sort out this issue of donations and you didn't, do you agree?---*In terms of the matter of the election, I have only introduced the accountant to him. As to what the accountant should do for him, that's something between the two of them.*

So let's try and get some timing right here. Do you agree that in September of 2016, Mr Tong told you that he was required to produce documents by the Electoral Commission?---*Yes.*

20 And you made arrangements for Mr Tong to have assistance from your accountant, Mr Teh, do you agree?---*Yes and I have, before that, I had consulted the opinion of Dr Liao before I did so.*

And did that happen after Mr Tong spoke to you about the notice to produce?---*Yes.*

30 Can we go please to page 23 of the CE brief. Now, Mr Wood, I'm showing you an email chain from Dr Liao to Mr Teh but also copied to you, if you have a look at the top of the screen. Can you see that there?---*I, yep, I can see that.*

And so do you agree that on 19 September, 2016, you were aware that a meeting had been set up with Mr Teh for 21 September, 2016?---*Yes.*

And do you agree that it's at least possible that you attended the meeting on 21 September, 2016?---*It is possible but in my recollection I, I don't recall attending and I don't know if I have at all attended. I really do not remember having attended this meeting.*

40 Do you at least agree that you discussed with Dr Liao the setting up of a meeting seeking advice on a donation of \$5,000 to the Labor Party made by Steve Tong?---*Yes. Most likely so.*

Well, you wanted Dr Liao to seek Mr Teh's advice on a donation of \$5,000 to the Labor Party made by Steve Tong. Do you agree?---*It was Dr Liao and Mr Tong who wanted to have this, to have this conducted in this way.*

No, you wanted a meeting to be arranged to give advice to Mr Tong. Do you agree?---*To be honest, when this happened I didn't know how to deal

with it so I asked them what to do and it was their decision to do so and their choice to do so, their freedom to do so, so I just let them deal with it.*

You didn't know how to deal with it so therefore you wanted some advice from Mr Teh. Do you agree?---*It was Dr Liao and Mr Tong's decision to find, as to how to deal with it. There are many things I didn't know how to deal with and I would ask their opinion and they would, we would then approach a solicitor or an accountant and deal with things.*

- 10 You wanted Mr Teh's advice as to how to deal with the matter in relation to Mr Tong. Do you agree?---*That was at their suggestion and their decision to, to do so. Why did you have to keep saying that it was my idea?*

I'm going to keep asking the question until I get an answer. You wanted Mr Teh's advice as to what to do about the inquiries made of Mr Tong. Do you agree or not?---(Speaks Mandarin)

- 20 I'm going to stop you there. I'm going to stop you there and I'm going to ask you the question again and I'm going to keep asking it until I've got an answer and if we have to be here for another week we're going to be here for another week. You wanted Mr Teh's advice as to what to do about the inquiries made of Mr Tong. Do you agree or not?

THE INTERPRETER: Do I need to interpret what he said just now to you?

MR ROBERTSON: No.

THE COMMISSIONER: Yes, I think I'd like to hear it, if you don't mind.

- 30 MR ROBERTSON: Sorry, Commissioner.

THE WITNESS: *Can I put it this way. It was after the meeting between Mr Liao, Mr Tong and myself - - -*

THE INTERPRETER: And then Mr Robinson jumped in to have his question.

THE COMMISSIONER: Ask it again.

- 40 THE INTERPRETER: And I'll translate your question.

THE WITNESS: *Can I say you can say yes or you can say no. Can I answer like that?*

MR ROBERTSON: Yes. Say yes or no.---Ah - - -

It's not a difficult question, Mr Wood.---*No, it's not difficult, but I - - -*

THE COMMISSIONER: I'm going to ask - - -

MR ROBERTSON: What's the answer then?

THE COMMISSIONER: I'm going to ask Counsel Assisting to ask it again, and I really do want you to give an answer. Not a non-responsive answer, but an answer to the question. Do you understand that?---*Yeah. Hang on. I, I can answer the question now. I also recommend that he contact the accountant to deal with this.*

10

MR ROBERTSON: You wanted Mr Teh to give advice as to what should be done in relation to the inquiry the Electoral Commission made in relation to Mr Tong. Do you agree or not?---*Yeah, yeah.*

And you agreed that Wu International Investments Pty Ltd would pay for that advice, do you agree?---*Disagree.*

Well, Wu International Investments Pty Ltd in fact paid for that advice, didn't it?---*I disagree.*

20

Teh and Ng Pty Ltd sent an invoice to Wu International for providing the advice that you wanted to be provided in relation to the enquiries made of Mr Tong, do you agree?---*I disagree.*

Can we go please to MFI 25, final page. What I'm going to show you, Mr Wood, is some billing records from Teh and Ng Pty Ltd. And if you have a look in the middle of the page, it's highlighted. Do you see your company's name, Wu International?---(No Audible Reply)

30 Do you see that there, Mr Wood?---*Yes.*

And can you see next to it, it says, "Letter to Electoral Commission"?---(No Audible Reply)

Can you see that there?---*Yes.*

And if you look later on in that row to the right-hand side, you will see "Invoice number 15353". Do you see that there?---*Yes.*

40 I'm now going to show you invoice 15353, which is on page 2 of MFI 25. Do you see there, Mr Wood, an invoice issued to your company, Wu International Investments Pty Ltd. Do you see that there?---*Yeah.*

Having seen that, do you now agree that an invoice was sent to Wu International Investments regarding the letter to the Electoral Commission on behalf of Mr Tong?---*Well, this I have to check up because I need to know whether the meeting with Dr Liao was in relation to a tax matter or

whether it was in relation to the matter relating to the Electoral Commission.*

Does it remain your evidence that you did not agree for your company, Wu International Investments, to pay for any of Mr Teh's fees concerning the Electoral Commission's investigation, is that your evidence?---*Yeah. I need to check it up. I can't, I can't remember and I do not know from this invoice.*

- 10 I want to suggest to you that you agreed that your company would pay for Mr Teh's fees concerning advice regarding the Electoral Commission, do you agree?---*No. Because it's a personal matter, it has, I would, I don't think so because it has, it doesn't have to do with the company.*

The reason that you agreed to pay for that advice was that you had used Mr Tong's name and Dr Liao's name for donations that they didn't make, do you agree?---*Their donation was, were personal matters and it was a separate issue unrelated to the company.*

- 20 THE COMMISSIONER: Can you ask that question again or put that proposition again, please.

MR ROBERTSON: You agreed to pay for Mr Teh's advice because you had used Mr Tong's name and Dr Liao's name for donations that they did not make, do you agree?---*I can only say no because the personal matter is unrelated to the company and also when Dr Liao went to meet with the accountant they could have covered a range of topics.*

- 30 THE COMMISSIONER: I'm going to ask the question myself. So I'm going to ask the question in a slightly different way. Did you or did you not use the names of Mr Tong and Dr Liao in relation to a donation?---*No, I didn't.*

Thank you.

- 40 MR ROBERTSON: In fact you arranged for Dr Liao and Mr Tong to sign forms that said that they had donated \$5,000 when they had not in fact done so. Do you agree?---*I disagree. I do not know how they donate, make their donation. It was not related to me and it was a matter for them.*

And you got them to sign those forms because Ernest Wong asked you to. Do you agree?---*I disagree. Ernest Wong, I personally have not attended the activity, why would Ernest Wong ask me to do so?*

I didn't ask you anything about the activity. What I said to you is that Ernest Wong asked you to have two of your employees sign a document that said that they donated money even though they had not. Do you agree that

you did that or do you disagree that you did that?---*Can you please ask the question once more?*

Ernest Wong asked you to arrange for two of your employees to sign documents that said that they donated \$5,000. Do you agree?---*Disagree.*

And you followed Mr Ernest Wong's instructions. Do you agree?---*No.*

10 Did you ever attend a meeting with Mr Teh during the course of which a question about political donations was discussed?---*I really don't recall. We would talk about tax matters and if it's in relation to political matters, no, really don't recall my memory.*

So are you saying is it possible that there was discussion of political donations at a meeting with Mr Teh?---*In, whether it's possible, maybe yes, maybe no. It's been so long, I really do not recall. I truly do not recall.*

20 Well, it was only three years ago. Are you saying you can't recall things that happened only three years ago?---*Yeah, normally, for three years long, sometimes I do not recall things that happened two weeks ago, a month ago. My memory's bad.*

When is the last time you had any contact with Ernest Wong?---*You have asked that question many times already. In - - -*

Not today, I haven't.---*In 2019, at the end of June, we attended a meeting and we have met up.*

30 Is that the last time that you've had any contact with Mr Wong?---*That's right, and none since.*

Have you told Mr Wong that you were required to attend this Commission today?---*No.*

Have you ever discussed this Commission's investigation with Mr Wong? ---*No.*

40 You've at least discussed the Electoral Commission's investigation with Mr Wong before, would you agree?---*Maybe, maybe yes, maybe no. I really do not remember now.*

Well, indeed, you told Mr Wong about the enquiries being made of Mr Tong by the Electoral Commission, do you agree?---*Maybe. I really don't remember.*

Other than arranging for Mr Tong to speak to Mr Teh, did you perform any other roles or tasks in relation to the Electoral Commission's enquiries of Mr Tong?---*Can you repeat the question?*

Other than arranging for Mr Tong to meet with Mr Teh, did you provide Mr Tong with any other assistance in relation to the enquiries that the Electoral Commission was making of him?---*No.*

10 Are you quite sure about that?---*I haven't, I haven't done anything else, no. No.*

At the very least, you were aware that Mr Tong was invited to attend an interview with the Electoral Commission, do you agree?

THE INTERPRETER: At the very least you were?

MR ROBERTSON: At the very least you know that the Electoral Commission invited Mr Tong to attend an interview?---*It was Mr Tong who told Dr Liao about it and sometimes Dr Liao mentioned it to me.*

20

Mr Tong told you directly about the fact he was invited to an interview. Do you agree?---*No, he hasn't told me directly to my recollection, no.*

And he made it clear to you that he was very angry that Wu International had not sorted out the issue concerning donations, do you agree?---*He did email and say something to that effect and that was all.*

30 So he did make direct contact with you by email to express his dissatisfaction with the fact that Wu International had not sorted out the issue of donations, do you agree?---*That was what he meant but he also complained about Wu International, complained about Mr Liao, Dr Liao, complained about my, my, myself, complained about the accountant but it was a personal matter of his. I was only assisting him and it was a matter for him as well, if you – so who indeed was the victim? Was it him or was it me?*

Are you having some difficulty understanding my questions, Mr Wood?---
(No Audible Reply)

40 THE COMMISSIONER: I think just ask it again.---Yeah, again, please.

MR ROBERTSON: Do you understand what I said to you when we started just after 2 o'clock about not giving speeches and directing yourself to the question?---*Sorry, I, my, the problem, my problem came back and my apologies.*

Well, I want you to continue to just focus on the question because I'm deliberately asking questions that don't call for big long explanatory responses. Do you understand?---*Yes.*

Do you agree that Mr Tong made direct contact with you to complain that the company, Wu International, had not sorted out the issue of donations? ---*I disagree.*

10 Do you at least agree that Mr Tong sent you his medical records in May of 2017?---*Yes.*

And the reason he sent you the medical records was he wanted your assistance in avoiding having to give an interview to the Electoral Commission. Do you agree?---*Whether he'd do that to avoid he interview or not I do not know. He wanted me to help him and so I did.*

20 What did you do with the medical records that Mr Tong sent to you? ---*I have asked the doctor if the medical situation was a serious one. I have also asked Dr Liao of his opinion. Dr Liao asked me to forward the document to him and also forward, and also to the accountant as well to see how this can be dealt with.*

When you say the accountant, you mean Mr Teh. Is that right?---*Yes.*

And how did you forward the medical information to Mr Teh, did you do that by email or in some other way?---*Yes.*

By email. Is that right?---*Yeah, forwarded mail, email.*

30 And having done that did you have any further communications with Mr Teh regarding that matter?---*Not that accountant and - - -*

THE INTERPRETER: Sorry, I was a bit confused about accountant and Mr Teh. So he asked you, he would like you to repeat the question.

MR ROBERTSON: After forwarding the medical information to Mr Teh did you have any discussions with Mr Teh regarding that medical information?---*No, not any discussion.*

40 But at least at that point in time, you knew that the Electoral Commission had asked Mr Tong to attend an interview, do you agree?---*I, I really don't know whether he was required to attend an interview or just to provide supplementary documents, I really don't know.*

At the time, at the point in time in which you forwarded that medical information to Mr Teh the accountant, you had an access card that allowed you access to Parliament House and to Mr Wong's office, correct?---*I do

not remember whether the card at that time was still usable, because there was an expiry, like there was a time limit as to how long you can use it for.*

Well, do you at least agree that you had access to Parliament House during some part of 2017?---*Mmm, yeah, agree, agree.*

And that was access that Mr Ernest Wong organised, correct?---*Yep. He asked me to be a volunteer worker there, at that time.*

10 And so you were working with Mr Wong in his office during a period of time in 2017, do you agree?---*Yes.*

And while you were working with Mr Wong, you discussed with him the Electoral Commission's investigation, do you agree?---*No.*

Never on a single occasion, is that your honest evidence?---*No, we can't talk about those things. I was just a volunteer worker, and that's my only job.*

20 You were monitoring what was happening on the Electoral Commission's investigation with respect to Mr Tong and Dr Liao. Do you agree?---*I didn't pay much attention, but I was just aware of it.*

You were aware of it, and you reported as to the progress to Mr Ernest Wong. Do you agree?---*Never.*

You told Mr Ernest Wong when Steve Tong was given a notice to produce. Do you agree?---*I really, I, I really don't think so, oh, it's been too long, I do not remember.*

30 Well, you at least, and you've already agreed with this before, you at least arranged a meeting between Mr Tong and Mr Wong in Parliament House in September of 2018, correct?---(No Audible Reply)

You agreed with that during the public inquiry, correct?---*Yes, yes.*

But I want to suggest to you that you did more than that, you were also keeping Mr Ernest Wong updated as to the Electoral Commission's inquiries of Mr Tong and Dr Liao. Do you agree?---*No.*

40 Do you agree that in May of 2017, Mr Tong sent an email to you that explained, amongst other things, that he had not donated any money to the Labor Party in 2015?---*Agree.*

Can we go please to page 55 of the compulsory examination brief, please. Mr Wood, I just put a copy of an email from Mr Tong to you on the screen, 16 May, 2017, 4.08pm. Do you see that on the screen?---*Agree.*

And do you accept that you received this email from Mr Tong at about 4.08pm on 16 May, 2017?---*Yes.*

And do you agree that Mr Tong was making clear to you that he was very upset that a question of donations had not been dealt with?---*Yeah, yes, he was quite sick at that time.*

10 He wasn't just sick, he was upset and angry that the issue of donations had not been dealt with, do you agree?---*Yeah, that was what he wrote I the letter, yeah.*

If you just look at the first sentence on the page, can you see where it says, "I am very upset. You deal with company accountant last year." Can you see that?---(Speaks Mandarin)

And you understood that to be referring to the arrangements that you made For Mr Tong to be given Me Teh's assistance in 2016, is that right?---*Dr Liao arranged for it, for them, yes. It was Dr Liao's arrangement.*

20 But you've already agreed that you were involved in making those arrangements. Is that right?---*Yeah, yeah, I did.*

And if you can have a look at the next paragraph, the one that says, "I refer to the matter," do you see that one there?---*Yes.*

30 And what Mr Tong says in that sentence, "I refer to the matter dated 12/3/2015 on which you used my name to donate \$5,000 to the Labor Party candidate, Mr Wong," what Mr Tong says there is the truth, do you agree? ---*I disagree.*

And what he says in the next sentence, "I did not give you permission to do that nor was I ever asked to use my name prior," that is also the truth. Do you agree?---*This is definitely not true. This is, that was his own donation and his own signature. Who could have made him – does that mean that it wasn't his signature?*

40 If you look at the next sentence it refers to, "On 25/8/2016," do you at least agree that Mr Tong passed on a letter that he had received from the Electoral Commission on 25 August, 2016?---*No.*

So are you denying that Mr Tong passed on to you a letter from the Electoral Commission of 25 August, 2016. Is that your evidence? ---*No, I have not received it and I have actually spent a lot of time looking for it in my email and if I had found it already I would have already given it to you.*

THE COMMISSIONER: You got that email though, didn't you?---*I received this email but anything dated 25/8/2016 I have not received ever.*

No, but you received that email and you say that what he says in it was untrue. Correct?---*Correct.*

Well, they were serious allegations that he was making against you, weren't they?---*In fact it had nothing to do with me so I don't know what he can allege against me.*

10 No, but they were – I know you say that it has nothing to do with you. But he was making serious allegations against you, wasn't he?---*The document that he referred to here, the 25th of the 8th, 2016 - - -*

I'm not referring to the document. Sorry, you, I'm sorry, Madam Interpreter.---*- - - was possibly sent to Dr Liao, not me. I really have not received it myself.*

20 Mr Wood, I am not asking you about the other document. What I'm pointing out to you, and do you agree, is that this email contains serious allegations against you. Do you agree with that?---*No.*

And why don't you agree?---*That was a donation he made himself. It was a matter between him and Dr Liao. It had nothing to do with me. I never asked him to make any donation. I never give him any money to donate. Whether he donate or not was a free, free choice of himself.*

But he's suggesting that you had used his name without his permission, wasn't he?---*No. You can refer to the evidence before. He did sign it himself.*

30 Put to one side what he may - - ----*Do you think that I signed for him?*

No. What I'm saying to you is that he was alleging that you had signed for him.---*I disagree.*

Well, did you understand that this email contained lies about you?---*Anyway, I just disagree with what he said.*

40 Do you agree with me – I withdraw that. Was what he said about you true or false?---*False. What he said in relation to me was false.*

Thank you. And that must have made you very upset.---*Yes.*

And what did you do to correct the record?---*Mmm, I told him, it was your donation, that you should be brave and stand up for your donation, and that you have to provide all your record in relation to the donation.*

Did you ask him why he was lying about you?---*He asked me, I didn't, no, I have not asked him. Because he was sick I did not want to argue with him

because he said he was very ill, like terminally ill, so what if he dies and what will happen?*

Isn't this the case, that you didn't ask him why he had told those lies because what he was saying was true?

THE INTERPRETER: I beg your pardon?

10 THE COMMISSIONER: You didn't question him about these lies because what he was saying was true?---*I wanted to give him time to recover from his illness and then I will talk to him about it.*

I just want to make sure that you understand what the consequences of giving false evidence to this Commission are. You do understand, don't you, that if you give false or misleading evidence to this Commission you commit a very serious criminal offence? You understand that?---*I understand, and that's why I want to say that their donation, how they did it was a matter for them.*

20 Right.---*I haven't seen with my own eyes as to what they have done or how they have done it. How can I explain about how they did it or why they did so?*

I'm not asking you to. I'm just pointing out to you that you have a very, very important obligation to tell the truth and that if you do not tell the truth you expose yourself to a gaol term of up to five years. And there are other witnesses who have given evidence before this Commission who have gone to gaol. I want you to listen very carefully to the question I'm about to ask you. It's a fact, is it not, that you used Mr Tong's name in relation to the
30 donation of \$5,000 to Labor? Now, think very carefully before you answer that.---*I didn't.*

Very well.

MR ROBERTSON: Where did Mr Tong get the money to donate \$5,000 to the Labor Party?---*You can ask Mr Tong this question. You can go to his bank record to see if he had this money or whether or not he has borrowed from anyone and get the \$5,000. You can also ask him if he does, if he did have \$5,000. It was a matter for him and he would be able to tell you. How
40 would I know?*

I've asked him all of those things and he denies that he made a donation. ---*Right. And it is a matter that Dr Liao had dealt with him, had dealt with, with him. Dr Liao and he himself would be the best person to tell, but Dr Liao has committed suicide because of that. I have, I do not have the truth, I do not know what had happened and I have, I do not have any evidence to show to answer and I have a lot of question marks for myself as well.*

You were Mr Tong's employer in 2015. Is that right? At least your company was Mr Tong's employer in 2015. Correct?---*Yes.*

Would you at least agree that you weren't paying Mr Tong enough money to have \$5,000 spare to donate to the Labor Party?---*I agree.*

Can we go please, to page 56 of the compulsory examination bundle. Here's another email from Mr Tong to you of 16 May, 2017, but this time 6.23pm. Do you see that?---*Yes.*

10

And do you agree that you received this email at about 6.23pm on 16 May, 2017?---*Yes.*

Do you agree that what Mr Tong says in this email to you is true? ---*Disagree.*

20

Can you focus on numbered paragraph 7 towards the bottom of the page. Do you agree that Mr Tong asked you around April of 2015 regarding whether Mr Tong's name had been used for a donation and you said, "There is no problems. In Australia any people can donate to a political party. It is legal. If there is any problem the company will fix it. No worries." Do you agree that what Mr Tong says in numbered paragraph 7, is true?---*This is what Dr Liao said.*

30

So are you saying Dr Liao said to Mr Tong that Mr Tong's name had been used for a donation, and that it is legal, and that if there's any problems, the company would fix it, is that what you're saying?---*No. Mmm, Dr Liao was – what I meant was, Dr Liao told Mr Tong that the donation was legal, and was also reasonable, and sensible, and that he shouldn't worry, and Dr Liao and will deal with it with him.*

How do you know that Dr Liao said that to Mr Tong?---*Mr Tong also told me so.*

Did Dr Liao tell you so?---*I remember they were in a conversation one time, and I was there, and I heard them talking about it.*

40

So is it right that you were present during a conversation between Dr Liao and Mr Tong concerning donations?---*Yeah. They started first, and I happened to walk past and I joined in.*

And did that occur in April of 2015?---*It's been a long time. I can't remember the time. But I, in my recollection, I think it was sometime after 2016.*

And doing the best you can, what words did Dr Liao say to Mr Tong, and what words did Mr Tong say to Dr Liao?---*Basically, it was said that the 5,000 donation was legal and it was reasonable, and Mr Liao would deal

with it, and Mr Tong agreed to that. Oh, there was also mention about Mr Tong's poor health.*

Did you say anything during that conversation?---*I did, and I said that Mr Liao is very capable and that he should help Mr Tong and because Mr Tong was pretty sick.*

Is that all you said during that conversation?---*That's all in my recollection and it's been a long time and my apologies.*

10

During that conversation did anyone say words to the effect of, "If there is a problem, Wu International will fix it. No worries.?"---*No, because it had, it was by no means related to Wu International.*

You referred a little while ago to you telling Mr Tong that he should be brave. Do you remember that?---*Yes, and that was the conversation in 2017 I think it was.*

20

Where did that conversation take place?---*Yes. At that time I went to, I have gone to his place. He was unwell and I went to visit him.*

So you told him to be brave when you went to his house and spoke to Mr Tong at Mr Tong's house. Is that right?---*Yeah.*

And do you agree that that happened towards the end of last year, in about November of 2018. Is that right?---*I also went in 2018 as well.*

30

So in 2018 you attended on Mr Tong at his house. Is that right?---*Yeah, but my memory is not so good. I cannot recall the exact time.*

You were driven to Mr Tong's house by Mr Kenny Zhan. Is that right?---*Yes.*

And you had a discussion with Mr Tong regarding donations. Correct?---*Yeah, the conversation started off about his health, he was very sick, and then there was conversation about the donation. He was very worried and didn't know what will happen. It was a brief conversation about that, yes.*

40

Well, the whole purpose that you drove to Mr Tong's house on the occasion that you're speaking of was to speak to him about donations. Do you agree?---*No, that was not the main purpose. The main purpose was to see how he was doing, health-wise.*

During the course of the meeting that you've just discussed, you said to him, "Just stick to what you said earlier, then it will be fine." Do you agree?---*I do not recall having said that. I really do not recall having said that. If you look at his letter, you will see that sometime, well, at one time he said he donated it, another time he said he didn't donate it, someone else donated it.

He kept changing his, his mind. I don't know which one of what he said would be the right thing to say.*

Mr Wood, do you realise that 11 of the 12 donors, supposed donors in relation to the \$100,000 that this Commission is investigating, have sat in the very seat that you're sitting in and have denied that they made \$5,000 or \$10,000 donations to the Labor Party or the Country Labor Party? Are you aware of that?

10 THE COMMISSIONER: Does that include Mr Tong? Sorry. Does that include Mr Tong?

MR ROBERTSON: Yes.

THE COMMISSIONER: Yes.

MR ROBERTSON: Are you aware of that Mr Wong, Mr Wood?---*I have read the news and I have heard something.*

20 And the twelfth one is Dr Liao, and he can't sit in that chair, because he's dead. You know that, don't you?---(No Audible Reply)

You know that, don't you?---*I do.*

And so despite that, are you going to still stick with this silly story that Dr Liao and Mr Tong donated their own money? Is that what you're going to do?---*Whether they have made a donation or not, they would know for themselves. How would I know?*

30 You were going to be one of the last people standing to say that this silly scheme happened where people like Mr Tong donated \$5,000, is that your position?---*I have, I have said that I do not know whether he donated it himself or not. I said that I haven't seen it with my own eyes. Did I not say that?*

Mr Wood, we're going to adjourn in a moment and continue on Monday. But over the weekend, I want you to consider very carefully the evidence that you've given both in private session and public session, and consider whether you really want to maintain the story that you've been giving this Commission so far. Do you understand?---*Can you, Honourable Mr
40 Robertson, Honourable Commissioner, I really do not know whether they have made that donation or not. This has nothing to do with me. I didn't sign for it, I didn't give them the money to donate. This had nothing to do with me. Can you please tell me why you keep asking me about them?*

Did you understand the question I asked you, Mr Wood?---*Yeah, maybe I have problem with my comprehension. If it's possible can you write down

your questions so I can have a good think about it and do a good job therefore? I thank everyone for your time.*

Mr Wood, I just want you to reflect on your evidence over the weekend. We'll do it in parts. And I want you to consider whether there is some further information you can give to this Commission that would assist it in its investigation. Do you understand?---*I understand and I will endeavour to assist the ICAC. This is my job too.*

10 Is this a convenient time, Commissioner?

THE COMMISSIONER: Mr Wood, were you born in China or in Australia?---*In China, Your Honour.*

And how old are you?---*36.*

And when did you come to Australia?---*1999.*

20 All right. And are you now an Australian citizen?---*Yes.*

And whilst you were here did you engage in any study or obtain any qualifications?---*Yes.*

And what qualifications were they?---*Bachelor of Business in Finance and Management.*

And where did you study that?---*Latrobe.*

30 Latrobe?---*Latrobe.*

And did you achieve that qualification?---*Yes.*

And how many years did it take to complete?---*Two years.*

And did you attend the lectures?---*Yes.*

And those lectures were conducted in the English language?---*Yes.*

40 And you did assignments from time to time?---*Yes.*

And you wrote those assignments in the English language?---*Yes.*

Ms Li, is it Li or Li? I'm terribly sorry.

MS LI: It's Li.

THE COMMISSIONER: Ms Li, I'm not going to ask you about the content of any advice you've given this witness from time to time, but I am going to

ask you that obviously he gives instructions and you give advice. Does that occur in the English language?

MS LI: When he's with me, yes. When he's with my principal, no.

THE COMMISSIONER: Thank you.

MR ROBERTSON: Can I just deal with one matter, sorry, Commissioner.

10 THE COMMISSIONER: Thank you.

MR ROBERTSON: Can we have MFI 25 back on the screen, please, page 2. So page 2, please. Mr Wood, I showed you the invoice that's on the screen a little bit earlier today. Do you remember that?---Yep.

And I think you didn't agree that the invoice had been paid by Wu International Investments Pty Ltd. Is that right?---*I have to go back and check this out. I don't remember. I really have to go back and check.*

20 So can I ask you to check that over the weekend and I'll ask you a question about that on Monday.---*Okay.*

And if there's a document that indicates that this money has been paid by Wu International Investments Pty Ltd, I would like you to bring that document in to the Commission, please. Do you understand?---
Understand. Thank you.

Thank you, Commissioner.

30 THE COMMISSIONER: 10 o'clock Monday. Thank you. Thanks, Madam Interpreter.

THE WITNESS STOOD DOWN [4.16pm]

AT 4.16PM THE MATTER WAS ADJOURNED ACCORDINGLY [4.16pm]

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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC
COMMISSIONER

COMPULSORY EXAMINATION

OPERATION AERO

Reference: Operation E18/0093

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 11 NOVEMBER, 2019

AT 10.00AM

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

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

THE COMMISSIONER: This is a continuation of the compulsory examination of Mr Alex Wood. I'll have the interpreter sworn in and then I'll have Mr Wood sworn in again.

<JENNY RUTTER, sworn

[10.09am]

10 THE COMMISSIONER: Thank you. And then we'll just have the witness sworn in again as well.

<ALEX WOOD, sworn

[10.10am]

THE COMMISSIONER: Thank you. I propose to make some directions afresh too. I direct that the following persons may be present at this compulsory examination, that is Commission officers including transcription staff, the witness, Mr Wood, and the witness's legal representative, Ms Li. I also propose to make a suppression order in relation to the evidence given by this witness.

10

Being satisfied that it is necessary and desirable in the public interest to do so, I direct pursuant to section 112 of the Independent Commission Against Corruption Act that the evidence given by this witness, the contents of any exhibits tendered, the contents of any documents shown to the witness, any information that might enable the witness to be identified and the fact that the witness has given evidence today shall not be published or otherwise communicated to anyone except by Commission officers for statutory purposes or pursuant to further order of the Commission.

20

BEING SATISFIED THAT IT IS NECESSARY AND DESIRABLE IN THE PUBLIC INTEREST TO DO SO, I DIRECT PURSUANT TO SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT THAT THE EVIDENCE GIVEN BY THIS WITNESS, THE CONTENTS OF ANY EXHIBITS TENDERED, THE CONTENTS OF ANY DOCUMENTS SHOWN TO THE WITNESS, ANY INFORMATION THAT MIGHT ENABLE THE WITNESS TO BE IDENTIFIED AND THE FACT THAT THE WITNESS HAS GIVEN EVIDENCE TODAY SHALL NOT BE PUBLISHED OR OTHERWISE COMMUNICATED TO ANYONE EXCEPT BY COMMISSION OFFICERS FOR STATUTORY PURPOSES OR PURSUANT TO FURTHER ORDER OF THE COMMISSION.

30

THE COMMISSIONER: I remind you again, Mr Wood, that if you breach the direction that I have just given you commit a criminal offence. Do you understand that?---*Yes, I do.*

40

I also propose to again make a declaration pursuant to section 38 of the Act. I remind you that although your evidence can't be used against you in any criminal proceedings once I make that declaration, there is an important exception, namely your evidence can be used against you in a prosecution for an offence under the ICAC Act, most importantly an offence of giving false or misleading evidence. I remind you again that to give false or misleading evidence to this Commission involves the commission of a very serious criminal offence, and I remind you again that the penalty can be imprisonment for up to five years.

I'll make that declaration now. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness, and all documents and things produced by him during the course of his evidence at this compulsory examination are to be regarded as having been given or produced on objection, and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

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

20

THE COMMISSIONER: Now, Mr Robertson, it's Remembrance Day, and I propose to at 11 o'clock take – sometimes there's some debate whether it's one minute or two minutes, so we'll make it two minutes.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: So, at 11 o'clock.

30 MR ROBERTSON: Can I just indicate in respect of the section 31A direction that you made, I'm not sure you included the interpreter. Perhaps it might be amended to include the interpreter.

THE COMMISSIONER: I'm sorry, that can be taken as varied to include the interpreter. Thank you very much.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Thank you.

40

MR ROBERTSON: Mr Wood, on Friday, you'll recall I asked you some questions about an invoice that was issued to Wu International Investments Pty Ltd.---*Yes, I can recall.*

And have you investigated the circumstances surrounding that invoice since we last saw you here?---*Yes, I did it.*

And did you give your lawyers some documents concerning that matter?
---*Yes, I did.*

And you asked your lawyer to give those documents to me, is that right?
---*Yes.*

I'm first going to hand you two pages of documents, the first of which appears to be an email from Wendy Ho, H-o, to Benjamin Pan, dated 23 September, 2016, 10.18am. Mr Wood, do you now have in your hands two
10 of the pages that you gave to your lawyers to give to me?---*Yes, correct.*

And just to understand how you obtained those documents, did you review the email account of Mr Benjamin Pan, did you?---*I asked Benjamin Pan to make a copy, send it to me.*

So to understand, you spoke to Benjamin Pan and asked him to investigate what may have happened with the invoice that I discussed with you on Friday, is that right?---*Yes, I did.*

20 And Benjamin Pan gave you some documents, is that right?---*Yes.*

And did Benjamin Pan give you all of the four pages of document that you gave to your lawyers to give to me?---*Yes, correct.*

So is it right that you didn't engage in investigations yourself regarding the invoice, you asked Benjamin Pan to do it for you, is that right?---*Can you repeat the question?*

Did you search for any emails yourself regarding the invoice or did you ask
30 Benjamin Pan to do it for you?---*I did search for the documents but I couldn't find it. Then I asked Benjamin Pan to help me find it.*

When you searched for documents, where did you search for documents?
---*From last week Friday until this morning, I was still searching.*

And where were you searching, was that of your email account or was it of some other place?---*I was looking at the email which I had.*

And the documents that you have with you now, the two pages, those are
40 two pages that Benjamin Pan gave to you, is that right?---*Yes.*

And Benjamin Pan got them from his email account, is that right?---*Yes, correct.*

Can I ask those two pages to be marked for identification. I think we're up to 26.

THE COMMISSIONER: Yes, we are indeed. Oh, no, 27.

MR ROBERTSON: 27, I'm so sorry.

THE COMMISSIONER: The two pages shown to the witness will become MFI 27.

10 **#MFI-027 – EMAIL FROM W HO TO B PAN ATTACHING
MEMORANDUM OF FEES SENT 23 SEPTEMBER 2016 AT
10:18AM**

MR ROBERTSON: Mr Wood, I'm now going to show you another page given to me by your lawyer which is an HSBC account, page 3 of 6, statement period 31 August, '16 to 30 September, 2016.---*Yes, correct.*

Is that another page that Benjamin Pan gave to you?---*Yes, correct.*

20 And does that show the payment that was made of the invoice that you and I discussed on Friday?---*Yes, correct.*

And so do you agree then that your company, Wu International Investments Pty Ltd paid the invoice that you and I discussed on Friday?---*Yes, correct.*

I'll ask for that page to be marked for identification as well, please, Commissioner.

30 THE COMMISSIONER: Yes. We'll mark that one MFI 28.

**#MFI-028 – HSBC ACCOUNT STATEMENT FOR PERIOD 31
AUGUST 2016 TO 30 SEPTEMBER 2016 - PAGE 3 OF 6**

MR ROBERTSON: Mr Wood, I'm now going to show you another document which is an email from Leo Liao, L-i-a-o, to Leon Teh and others of 19 September, 2016, 7.13am.---*Yes, correct.*

40 Is the document that is now in your hand a document that Benjamin Pan gave you or did you get this document yourself?---*It was the document I have had myself.*

So is it right that you checked your email account and found the document that you now have in your hand and printed it out?---*Yes, correct.*

And you then gave it to your lawyer and asked her to give it to me. Is that right?---*Yes, correct.*

Can I ask for that page to be marked for identification as well, please, Commissioner.

THE COMMISSIONER: That will be marked MFI 29.

**#MFI-029 – EMAIL FROM L LIAO TO L TEH & ORS 19
SEPTEMBER 2016 AT 7.13AM**

10

MR ROBERTSON: Are those four pages the only documents that you have found since we last spoke that you thought might be relevant to this Commission's investigation?---*Yes, correct.*

Mr Wood, you'll remember on Friday I asked you to consider whether there was any further information you could give to this Commission that would assist it in its investigation, do you remember that? Do you remember me asking you that, Mr Wood?---*Yes, I can recall.*

20

And now that you've had that opportunity, is there any other information that you consider you can give to this Commission that would assist it in its investigation that you haven't otherwise told this Commission?---*I don't have any more information or documents. That's all I have had.*

Do you agree that in 2016 you made a donation of \$500 in connection with the Chinese Friends of Labor dinner in 2016?---*Yes, I did.*

30 Can we have page 3 of the compulsory examination brief on the screen, please. Mr Wood, is this your handwriting on the screen or someone else's handwriting?---*This wasn't my handwriting.*

Do you recognise whose handwriting it is?---*Dr Liao's handwriting.*

But do you accept that the document on the screen accurately records you as a donor of \$500 for the Chinese Friends of Labor dinner in 2016?---*It's correct.*

40 Why was it that Dr Liao's credit card was being used for a donation from you?---*At that time, I was in China. It was through the suggestion of Dr Liao asked me to give this donation.*

Did Dr Liao explain why he wanted you to make a donation?---*Dr Liao said, Ernest Wong is the most bright, oh, the brightest person in the Chinese community, so we got to give the donation to him.*

Did he explain what he meant by "brightest person"?---(Speaks Mandarin)

THE INTERPRETER: Oh. Sorry, it's the, because these two pronunciation the same, "bright light" and the senior bureaucrats. They are the same pronunciation. So, actually, Mr Wood was saying, Mr Wong was the, mmm, seniorest [sic] bureaucrats in the Chinese community.

MR ROBERTSON: So just so I can understand that, are you saying Dr Liao was saying that Mr Wong was a senior government official, and therefore it was a good idea to support him, is that right?---*Yes, correct.*

10 And it was a good idea to support Mr Wong, because he may be able to help your business Wu International, is that right?---(not transcribable)

Well, why then was it relevant that Ernest Wong was a senior government official?---*Because Ernest Wong is the biggest leader in the Chinese community so some of the activities we have had is to suggest or express our support to him.*

20 And it would be good for your business to express support to a senior government official. Do you agree?---*No, there won't be any benefit.*

You know that Ernest Wong was for some time a member of the Burwood Council. Correct?---*Would you repeat the question, please?*

You knew that Ernest Wong was a local government official before he was at Parliament House. Correct?---*Yes, I do know.*

And when he was a local government official he inspected one of the Wu International development sites. Is that right?---*No.*

30 Well, he was at very least helpful to Wu International in trying to get development proposals approved. Do you agree?---*No.*

Do you at least agree that Mr Ernest Wong came to a farm that was at that time owned by Wu International or someone associated with Wu International?---*Yes. That farm belongs to the new design company have the priority.*

40 What's the name of that company?---*New Century company called, New Century Pty Ltd.*

Who are the directors of that company?---*Bebe Wu was the director of that company.*

And that is your sister?---Sister, yeah. *Yes.*

And she is also the other director of Wu International Investments Pty Ltd. Is that right?---*Yes, correct.*

And on the occasion of the visit to the farm, you arranged for a driver to pick up Mr Ernest Wong, is that right?---*Yes.*

And the reason you wanted Mr Wong there is you wanted some help from Mr Wong to develop the farm, is that right?---*Yes, I would like him to give some suggestions.*

10 What sort of suggestions?---*Because I went there and I needed some suggestion. I also heard it, the, there is about the solar panel electricity plant, these things, I need some suggestion.*

You also wanted some suggestions from Mr Wong as to how you might get development at the farm approved, would you agree?---*The details I didn't know because all the itinerary and the program was organised by Dr Liao, it was between them, I don't know.*

20 But one of the reasons you wanted Mr Wong there was some suggestions as to how a development at the farm might be approved, do you agree?---*I was only accompanying them and to listen, but these issues were discussed between Dr Liao and Mr Wong.*

And one of the things that Dr Liao and Mr Wong discussed was Mr Wong's suggestions as to how development at the farm might be approved, would you agree?---*Truly, I don't know what the details they were discussed at that time.*

The farm that you were speaking of, where was that farm?---*Near Campbelltown, so Oxley something.*

30 Who was present at the meeting at the farm other than you, Mr Wong and Dr Liao?---*I couldn't recall. Possibly only these people you mentioned.*

What about Kenny Zhan?---*I couldn't recall whether he was there, I couldn't recall.*

Well, you told us before that you arranged for someone to pick up Mr Ernest Wong. Who was the person who picked up Mr Ernest Wong?---*I couldn't recall which one, whether it's Zhan or Benjamin Pan who did pick him up.*

40 When did this meeting take place?---*We went to the farm.*

When did the meeting at the farm take place, what year?---*Truly I couldn't recall.*

It was not recently, it was a number of years ago. Is that right?---*Yes.*

It was while Ernest Wong was a government official. Correct?---*Yes.*

And it was while Ernest Wong was a local government official. Correct?
---*I'm not so sure.*

It was when he was the Deputy Mayor of Burwood Local Council. Is that right?---*It was a very short duration. I couldn't recall.*

Do you remember whether Mr Tong was at this meeting at the farm?---*I couldn't recall.*

10 He may well have been there, you just don't remember one way or the other. Is that right?---*Yes, correct, I couldn't recall.*

Was your father, Bobby Wu, at the meeting at the farm?---*No, he wasn't there.*

You're sure your father was not there at that meeting. Is that right?---*In my memory, yes, correct, he wasn't there.*

20 But your father has met with Ernest Wong on many times. Is that right?
---*Should be so. Whether they were meeting each other I really don't know what they have done.*

Well, you do know that Ernest Wong and your father, Bobby Wu, have met with each other in China. Do you agree?---*I'm not so clear whether they're meeting, they were meeting each other in China but if they have an appointment they might meeting each other, I don't know.*

30 You know that Ernest Wong and your father, Bobby, have met with each other in Australia. Correct?---*Yes, they have an appointment, they were meeting each other, yes.*

Well, you have been at a dinner before that your father, Bobby Wu, attended and Ernest Wong also attended. Correct?---*Yes.*

And it was more than one dinner, there were a few dinners at which Bobby Wu, Ernest Wong and you all attended. Do you agree?---*Yes. If there's an appointment we will see him. That's all.*

40 But not just appointments for meetings, also for dinners. Do you agree?
---*Yes, correct.*

And so do you agree that there are a number of meetings or dinners at which you attended, your father, Bobby, attended, and Ernest Wong attended?
----*Yes, it's correct, if there's an appointment for the dinner we will be there.*

And there were a number of appointments at which you attended, your father, Bobby Wu, attended and Ernest Wong attended. Do you agree?
---*Yes, correct.*

Do you agree that your father, Bobby Wu, knew Ernest Wong as at February of 2015?---*That period I wasn't there. Maybe they have meeting together, maybe not. I'm not so sure.*

10 Well, you went to a dinner at which Mr Bobby Wu and Mr Ernest Wong attended in January of 2015. Do you agree?---*Truly, I couldn't recall, if I checked again, maybe I, truly, I couldn't recall.*

Are you saying that you agree that there was such a dinner, you are just not sure when it was?---*I couldn't recall, every dinner they will have an appointment. So, maybe, I couldn't recall, truly.*

20 Would you at least agree that Bobby Wu wanted to know Ernest Wong because he was a senior government official?---*It was normal for them to, of knowing each other, it's just a normal thing.*

But one of the reasons your father wanted to know Ernest Wong was that he was a senior government official in Australia, would you agree?---*I, I wasn't clear that was he, my father's, thinking. I couldn't have any comments on that.*

Well, at least your thinking was that you wanted to know Ernest Wong because he was a senior government official in Australia, is that right?
---*No, I didn't.*

30 You thought knowing Ernest Wong would be good for you, your family, and your business, correct?---*No.*

And that's why you agreed to work in Ernest Wong's office in 2017, do you agree?---*No.*

Your father has been involved in the Australian Council for the Promotion of the Peaceful Reunification of China, correct?---(Speaks Mandarin)
PPRC, yeah?

40 Yes, the PPRC, ACPPRC.---Yeah, ACPPRC, yeah.

Yes.---*Please repeat your question again.*

I might repeat it in a minute or two.

THE COMMISSIONER: Yes, I think we'll just pause and observe two minutes' silence, having regard to the day.

REMEMBRANCE DAY OBSERVANCE

[11.00am]

THE COMMISSIONER: Yes, thanks, Mr Robertson.

MR ROBERTSON: Your father was involved in the ACPPRC?---*He has withdrawing from that organisation many, many years ago.*

10 At least in the past he was a member of the ACPPRC. Correct?---*Yes, correct.*

When he was a member do you know who the president was of the ACPPRC?---*When, in the past or now?*

When your father was a member of the ACPPRC, who was the president of the ACPPRC?---*William Chiu.*

20 And is that the only person who was the president at the time that your father was a member of the ACPPRC?---*Yes, correct.*

Have you had any involvement in the ACPPRC?---*At that time I also did some voluntary work there.*

When, at what time was that?---*So-called voluntary work actually is attending their meetings and having dinner parties et cetera.*

In what year did that occur?---*It was many, many years ago.*

30 You were at least involved with the ACPPRC in events associated with Premier Li visiting Australia in 2017, do you agree?---*Yes. I, at that time, I was under that, that ACPPRC, under that organisation, I was a youth member, under that organisation.*

So is it right that in 2017, you were a youth member of the ACPPRC? ---*Yes, correct.*

40 And you were involved in events associated with the visit of Premier Li to Australia in 2017, is that right?---*I was just attending the dinner party under the (not transcribable) organisation.*

But you also arranged for some of your staff to help with the events associated with Premier Li attending Australia in 2017, is that right?---*No, I didn't.*

Your father Bobby was in Australia when Premier Li was here in 2017, correct?---*I'm not so sure, shouldn't be has, shouldn't be like that.*

Well, in fact, when Premier Li was in Australia, your father had a photo with him. Do you agree?---*I couldn't recall. I'm not so sure about that.*

And that photograph was hanging in the Wu International offices for some time, do you agree?---*If there was a photo like this, it wasn't taken in 2017. It was long, long time ago.*

10

So do you remember seeing a photograph of your father and Premier Li, is that what you're saying?---*Yes, there was a photo. It was many, many years ago.*

Doing the best you can, when was that photograph taken?---*Was many years ago, before Mr Li Keqiang, Premier Li Keqiang, Mr Li Keqiang became, became the Premier Li. That was the photo taken, before, prior to that.*

20 And Mr Li became Premier in 2013, is that right?---*I couldn't recall either.*

But you at least know the photograph was taken before Mr Li had become premier, is that right?---*Yes, I remember it, it was so, actually what was condition, I have to check again.*

Have you ever had any involvement in the Australia Chinese Economics Trade, and Cultural Association?---ACTCA, it's ACTCA?

30 ACETCA.---Yeah, yep. *Yes, I did. It was the organisation called ACTCA.*

What involvement have you had in that association?---*I was the committee member, the vice chairman of that organisation, I was a member, that's all.*

During what period were you the vice chairman of that organisation?---*I couldn't recall, but it should be after 2013.*

40 Are you still the vice chairman of that organisation?---*Currently, I was still a, a vice chairman.*

You are currently the vice chairman of that organisation, is that right?---*Yes, correct.*

Does that organisation have an annual dinner?---*Yes.*

Did it have a dinner last year?---*Yes.*

Where did that dinner take place?---*In casino.*

Did you ask your staff to attend that dinner?---*Yes, I did.*

And which of your staff attended that dinner?---*Kenny Zhan, Mr Xu and Kenny Zhan.*

10 Did you invite Dr Liao to attend that dinner?---*I asked him to attend the dinner but he said he had, he was busy so he declined to attend.*

Doing the best you can, what exact words did Dr Liao say when he said he was busy and couldn't attend the dinner?---*He said the next day he's going to have a special meeting so he couldn't attend the dinner party.*

Did he explain what that special meeting was?---*No, he didn't.*

He told you that the special meeting was a private hearing before this Commission. Do you agree?---*No, he didn't say.*

20 Was Ernest Wong at the dinner?---*Yes, he did.*

Did you speak to Ernest Wong at the dinner?---*I couldn't say what I said to him but when we, when I giving a toast, what I said I couldn't recall.*

So you at least had some discussion with Mr Wong at the event. Is that right?---*No.*

30 But are you at least saying you referred to Ernest Wong during your toast? ---*The toast just I was grateful for the support and just did a toast, that's all.*

THE COMMISSIONER: I don't think that was an answer to the question, was it?

THE WITNESS: *We did the toast that night. I did the toast to many, many people, so I couldn't recall whether I did the toast towards Mr Wong.*

40 MR ROBERTSON: At that point in time Mr Wong was a senior government official. Is that right?---*Yes, should be so.*

And you referred to all the names of the senior government officials in your toast. Is that right?---*(not transcribable) I just toasted to all the honourable guests in that meeting, I toasted to them.*

But during that toast you referred to Ernest Wong by name. Do you agree? ---*No, I didn't.*

When did you first find out that Dr Liao was not going to attend the ACETCA dinner last year?---(No Audible Reply)

Did you find out on the night or at some earlier time?---*Would you please repeat this question again.*

You told us a little while ago that Dr Liao was invited to the dinner of the ACETCA last year. Is that right?---*Yes, I did.*

10 And he told you that he couldn't come because he had a special meeting the next day. Is that right?---*Yes, he said.*

Did he tell you that on the day of the dinner or at some other time?---*Not that evening but the same day as the dinner date, around midday, at lunchtime he told me.*

20 And how did he tell you that, did he call you to tell you that? ---*It was in the company, I talked to him, I said it was a very good opportunity, everybody will be there, why you don't attend the meeting, the dinner party.*

The dinner party was on a Sunday. Is that right?---*I couldn't recall whether it was on Saturday or Sunday.*

But are you saying you – I withdraw that. But you're clear that it was on a weekend. Is that right?---*I have to check the time.*

30 But are you saying you spoke to Dr Liao in the Wu International offices in Chatswood on the day of the dinner?---*Yes, same date of the dinner party.*
Yeah.

So I want you to assume that the dinner party was on the weekend. Are you saying you had a discussion with Dr Liao in the office even though it was the weekend, is that right?---*I couldn't really recall whether they went for the party on Friday or Saturday. I couldn't recall.*

40 But you are clear in your mind that you had a discussion in the Wu International offices in Chatswood with Dr Liao at around midday on the day of the dinner, is that right?---*Yes, I have talked to him, inviting him about the dinner, but the, the detail, the time, I couldn't recall. Truly, I couldn't recall.*

But you said to us a moment ago that it was around midday, is that still your evidence? Or are you now no longer sure?---*Yes, in my memory, I can recall there was such a thing, but I couldn't recall the details.*

But by the time you attended the dinner on the evening, you were not expecting to see Dr Liao there, is that right?---*Yes, I have asked him, but

he told me he had other things to do, so he couldn't attend the dinner.
That's what he said.*

How did you get to the dinner?---*I was driving there.*

You drove yourself, or were you driven by someone else?---*I was drive, I
was the driver for my own car.*

10 How did you get home from the event?---*I went together with my wife,
and I was driven by my wife home.*

Are you sure that Kenny Zhan didn't drive you home?---*It was a long time
ago. I couldn't recall.*

So it's possible that Kenny Zhan did pick you up from the event. Is that
right?---*I couldn't recall.*

20 That may have happened but you can't recall one way or the other. Is that
right?---*Yes, correct, I couldn't recall.*

Did you ask Kenny Zhan to attempt to make contact with Dr Liao during the
course of that afternoon or evening?---*That afternoon I couldn't recall.*

You may have but you don't remember one way or the other. Is that right?
---*I couldn't recall whether I asked him, Mr Zhan, to talk to Mr Liao.*

Dr Liao and Ernest Wong knew each other. Is that right?---*Yes, they did.*

30 They would speak to each other regularly. Is that right?---*Yeah, I don't
know the details. If they have an appointment they will see each other.*

In the days leading up to the dinner that we've been discussing, Dr Liao and
Mr Wong met together. Is that right?---*I'm not sure. I don't know.*

Other than the meeting at the farm that you and I have discussed, have you
ever been in attendance at a meeting with Dr Liao and Mr Wong?---*In the
farm.*

40 Putting aside the meeting at the farm that you and I have discussed, were
there any other meetings at which Dr Liao, Ernest Wong and you all
attended?---*Normally if there was an appointment there will be a meeting.*

Were there any appointments at which you, Dr Liao and Ernest Wong
attended, other than the meeting at the farm?---*If there's any it would be
my father came to Australia and would want to talk, get Ernest Wong and to
have a meal together and talk about it.*

Why would your father want to meet with Ernest Wong?---*It was a normal practice for these people, like my father and (not transcribable) Wong, Ernest Wong, these are the leaders in the Chinese community. It was a normal thing to do for the local officials or in the high office to, and the famous people, famous people to meet, to meet each other and they have a meal together.*

10 And your father made it clear to you that it was a normal and good thing to do to get to know senior government officials like Ernest Wong, correct?
---*Yeah, would you please repeat the question?* I'm sorry.

Your father has taught you that it is a normal and good thing to do to get to know senior government officials, do you agree?---*He didn't say so to me.*

But he has taught you as his son that that is a normal and good thing to do, do you agree?---*No, he didn't.*

20 Do you agree that it is a normal and good thing to do to get to know senior government officials?---*I am not so sure, I'm not so clear what the intention was to have meetings together or meal together. I am not so sure. I don't know.*

I'm not asking about their intention now, I'm asking about your intention. You would agree that it's a normal and good thing to do to get to know senior government officials, do you agree?---*I never had the think, thought that way.*

30 You have attended a number of meetings at which Dr Liao and Mr Ernest Wong were also in attendance, is that right?---*Yes. If there was an appointment, I will attend.*

And some of those appointments involved meetings that discussed developments that Wu International or related entities were thinking about. Is that right?---*No.*

You never discussed suggestions for developments with Ernest Wong?
---*No, I didn't discuss this kind of thing with him.*

40 But it was at least discussed during the meeting at the farm that you and I discussed this morning. Agree?---*I was just listening. I was just accompanying them. That occasion it was Dr Liao talking to him, meaning Ernest Wong.*

Other than the meeting at the farm, has Ernest Wong to your knowledge attended any other development sites of either Wu International or any entity associated or related to Wu International?---*No.*

So Ernest Wong had attended your offices in Chatswood. Is that right?
---*Yes, he did.*

And he'd attended those offices many times. Is that right?---*No, only once.*

Only once. No more than once?---*Only came to my office once.*

10 What about when Wu International had an office in the city of Sydney?
---*I couldn't recall. It was a long time ago.*

Do you agree that Ernest Wong was trying to cultivate you as a future leader of the Chinese community?---*He was only suggested, that his opinion.*

Do you agree that Ernest Wong wanted to cultivate you as a future leader of the Chinese community?---*Yes, I can say he might have this opinion but I don't think I can be.*

20 Do you agree that Ernest Wong wanted to cultivate you to become a future leader of the Chinese community?---*He has such suggestions, but, but I believed I have limited ability to do so.*

I'm going to keep asking the question until I get an answer, Mr Wood.
---Yep.

Do you agree that Mr Wong wanted to cultivate you to become a future leader of the Chinese community?---*Yes, he might possibly have this opinion. But for me, whether I have the ability to do so, that's a problem.*

30 Do you agree that you told this Commission on 11 September, 2019, that Ernest Wong wanted to cultivate you as a future leader of the Chinese community?---*Yes, I did so.*

And that evidence was true, do you agree?---*Yes, correct.*

And you agreed to be cultivated as a future leader of the Chinese community, do you agree?---*Thank you, would you please repeat the question again?*

40 You agreed to be cultivated by Ernest Wong as a future leader of the Chinese community, do you agree?---*It is the, it is, it was I would learn from Ernest Wong. Whether I can be a leader or not, it, it all depends.*

Why was it that you wanted to learn from Ernest Wong in that way?
---*Because I want to find out whether I can be a leader.*

And why did you want to be a leader?---*Because I want to contribute to the Chinese community in Australia and also I want to contribute to the relationship between Australia and China.*

And it was also to improve your status within the Chinese community in Australia. Do you agree?---*Yes, there was something like this.*

10 And also to impress your father. Do you agree?---*It is from my heart, it was my father may have the desire, also my own will, my own desire to contribute to the Chinese community and to promote the relationship between Australia and China.*

And your father has a desire that you be successful in Australia. Is that right?---*I thought that will be every father's desire for their children to achieve to be successful in their own area of profession.*

20 And that's at least part of the reason as to why you wanted Mr Ernest Wong's teaching to become a future leader of the Chinese community. Is that right?---*Because I want to learn from all these successful people and Mr Wong is only one of them.*

And you also thought that becoming a leader of the Chinese community in Australia would be good for your business in Australia. Is that right?---*It's good for my fame truly but it wouldn't be good for my business because if you maybe sometimes will have some loss in the business because you got to be fair and in the community so it might be not very good for the business.*

30 You'll just need to explain that to me. Why would it not be good for the business to be a community leader in the Chinese community of Australia? ---*Because when you become a leader you have to spend a lot of time with the community and meaning you will spend less time in your business.*

Is that a convenient time for a brief break? I've got about an hour or so to go. Can I suggest a fairly tight 10 to 15-minute break?

THE COMMISSIONER: Yes, sure, and we'll - - -

40 MR ROBERTSON: And I'm still attempting to finish by lunchtime, which I think I still will.

THE COMMISSIONER: If we go slightly over from 1 o'clock that's fine by me.

MR ROBERTSON: I'm grateful for that, Commissioner.

THE COMMISSIONER: Subject to the needs of everybody else.

MR ROBERTSON: Well, can I suggest a tight 10 minutes or so.

THE COMMISSIONER: Thank you. I'll adjourn.

SHORT ADJOURNMENT

[11.56am]

10 MR ROBERTSON: Mr Wood, the night of the ACETCA dinner last year was also the night that Dr Liao passed away, is that right?---*Yes.*

How did you find out that Dr Liao had passed away?---*We reported to the police, and together with the police, they told, we found him.*

But who first told you that Dr Liao had passed away?---*With, it was just with the police and then confirmed his death.*

20 After the dinner, did you go home or did you go to the office?---*In my memory, it was I firstly went home, and then went back to the office.*

Why did you go back to the office after going home?---*Because my colleagues called me, said on the desk of Dr Liao's table there was a lot of writings, it was his last words before his death.*

Which colleague informed you of that?---*I couldn't recall.*

Could have it been Kenny Zhan?---*Yes, maybe.*

30 And after Kenny Zhan contacted you, you came into the office. Is that right?---*Yes.*

And do you remember whether Kenny Zhan contacted you via telephone or was it some other way, do you remember?---*Telephone.*

A normal telephone call or an audio call through something like WeChat? ---*Normal telephone.*

40 Mr Wood, on Friday you told us about a meeting that you had with Mr Tong at his house towards the end of last year. Do you remember that?---*Which year?*

Do you agree that late last year you drove to Steve Tong's house and had a discussion with Steve Tong?---*Yes, correct.*

Kenny Zhan drove you to Mr Tong's house for that discussion. Is that right?---*Yes, correct.*

And you asked Kenny Zhan to drive you for that purpose. Is that right?
---*Yes.*

You arrived at Steve Tong's house at about 8.00 or 9 o'clock at night. Is that right?---*Yes, correct.*

But you had already arranged for Kenny Zhan to contact Steve Tong to tell him that you were coming. Is that right?---*Yes, I did.*

10 You then arrived outside Mr Tong's house and asked Kenny Zhan to contact Steve Tong to ask him to come out. Is that right?---*Yes, correct.*

And Mr Tong came out of his house and went into your car. Is that right?
---*Yes.*

You and Mr Tong were sitting in the back seat. Is that right?---*Yes.*

Mr Zhan was in the front driver's seat. Correct?---*Yes.*

20 And Mr Zhan started driving, and you and Mr Tong had a discussion, is that right?---*Yes.*

And during that discussion, you discussed with Mr Tong questions about donations, is that right?---*That was one of the topics we discussed.*

And you told Mr Tong to stick with what he said earlier to the Electoral Commission and that it would be fine, do you agree?---*Whether I have said this or, or not, I couldn't recall.*

30 Well, I'm suggesting to you that you said words to the effect of, "Just stick to what you said earlier, then it will be fine," do you agree with that?---*I didn't say so, I couldn't recall.*

So you're not denying that you said something like that, is that right?
---*Details, I just told him as a matter of fact he will tell what is true to other people.*

40 Do you at least accept that one of the reasons you asked Mr Zhan to drive you to Mr Tong's house was to talk to Mr Tong regarding investigations that were being done into donations?---*Oh, the main thing it was about Mr Tong's health, health condition, and the, the other was, yeah, that Dr Liao has passed away, why this thing can be so serious.*

Do you accept that at least one of the reasons you asked Mr Zhan to drive you to Mr Tong's house was to discuss questions of donations?---*I didn't discuss with him, I just mentioned about that to alert him.*

Alert him of what?---*Firstly I would ask him to take care about his own health. Secondly I would concern about Dr Liao's passing and I didn't know why things can be so serious.*

You said in answer to a previous question that you wanted to alert Mr Tong of something. What did you want to alert him of?---*Alert is about ask him to take care of his own health. That was the alert.*

10 You were not trying to alert him of something to do with donations?
---*No, I didn't mention about that. But he asked me something regarding this matter. And the I told him about this matter. I was really not so clear about this matter, I still didn't know.*

What did Mr Tong ask you about that matter?---*It was a long time ago, he also asked in my memory about this donation issue, why this can be such a serious matter and about Dr Liao's, or how, how Dr Liao can be just passed away.*

20 What else can you remember about what Mr Tong said to you when you spoke to him in your car on the evening we've been discussing?---*We have talked a lot of thing. Yes, I have consulted him, I treated him as my teacher and I was talking about our company, at the moment it wasn't, the development wasn't very well and the trend wasn't good and also I don't have good English. I try to ask him what to do and ask him to make some suggestions and what to, how to develop my company and also about what his suggestion according to the market.*

30 Did Mr Tong say anything to you about donations?---*He said that he has his, he, he had his way of saying this.*

Well, what words did he use to you?---*The details, it's like this, but I couldn't recall the details.*

Well, what was the essence of what he was saying to you during that meeting, regarding donations?---*He just said he has his own opinion regarding this.*

And what opinion was that?---*He didn't say.*

40 What, he said he has an opinion and he didn't tell you, is that what you're saying?---*He, in my memory, he said that regarding this matter, he has his own opinion, his own, his own opinion.*

What did you say in response?---*I then said, "Take care of your health."*

But you did at least say some things to Mr Tong about the question of donations, do you agree?---*I didn't, truly I didn't know between older Liao

and himself about the donation, these issues, I'm not so clear, I didn't know.*

I didn't ask about that. I want to know what you said to Mr Tong on the question of donations in the car on that evening. What did you say?
---*According to my memory, all I can recall, I just said, that's all I can remember.*

10 Well, what words did you use? This was only a year ago, Mr Wood.
---*Yes, my memory wasn't very good because my memory wasn't good.*

No. You remember what you said to Mr Tong and I want to know the answer. What did you say to Mr Tong about the question of donations?---*I said about the donation, it was between Dr Liao and you, Mr Tong, and what the details stuff I didn't know.*

20 Do you at least accept that one of the reasons you got Mr Zhan to drive you to Mr Tong's house was to discuss the question of donations?---*I consider I don't have the necessity to do so.*

That's not an answer to my question. One of the reasons you asked Mr Zhan to drive you to Mr Tong's house was to discuss the question of donations. Do you agree?---(No Audible Reply)

Why is it taking so long to answer? It's a simple question.---*I still insist I went there to see how his illness and his health.*

30 You knew that Mr Tong had been unwell from at least 2017. Correct?
---*Yes.*

You told us on Friday that Mr Tong sent you medical reports that you then sent on to Dr Liao. Correct?---*Yes, correct.*

So why did you decide to go and see Mr Tong in the dead of night on that particular day? It can't have been about health concerns because you'd known about them for more than a year.---*So number one is about his health. Second is about ICAC matter and Mr Liao's passing, how this matter can be so serious. That's the second reason I went there.*

40 So you accept that at least one of the reasons you wanted to see Mr Tong was to talk about the ICAC matter. Is that right?---*I didn't talk about his part with the (not transcribable) but I didn't know things can be so serious and I just asked him to take care.*

Listen carefully to my question. One of the reasons you wanted to see Mr Tong was to discuss the ICAC matter. Do you agree? That's what you told us a minute ago, wasn't it?---*I was saying that because ICAC's

investigation and which lead to Dr Liao's passing, it was a serious matter. That's all I said.*

At least one of the things that you wanted to discuss with Mr Tong was the ICAC matter. Correct?---*Yes, only about Dr Liao's matter involved. That's all.*

How did you know about the ICAC matter?---(No Audible Reply)

10 Who told you about it?---*Yes, we did know after Dr Liao passed away.*

THE COMMISSIONER: No, that wasn't the question. The question was, who told you about the ICAC matter?---Nobody told me. It was me, myself, I thought.

MR ROBERTSON: You didn't dream up the idea of an ICAC investigation, someone must have told you. Who told you about the ICAC investigation?---*Truly, nobody told me.*

20 THE COMMISSIONER: Well, how did you know?---*After Dr Liao passed away in his letter, final letter, he mentioned so we have learned about it.*

MR ROBERTSON: No, no, no.

THE COMMISSIONER: How did you know about his letter?---*The letter was on his desk in his office.*

30 MR ROBERTSON: Mr Wood, you've tripped yourself up. You've now admitted that you knew about the ICAC investigation, and someone must have told you. Who was it that told you about the investigation? Was it Dr Liao? Was it Dr Liao? Was it Mr Wong? Who was it? It's time to stop lying, Mr Wood.---*Truly, nobody told me.*

Nobody told you about the ICAC investigation that you wanted to speak to Mr Tong about? Are you serious?---*Yes, about this matter, I talked to Mr Tong, but about why have this investigation, when have this investigation, I didn't know.*

40 Are you saying you spoke to Mr Tong before you met with him in the car and discussed the ICAC investigation?---*Yes, I did (not transcribable) to him about Dr Liao's matter, about this matter.*

When?---*That very night.*

Which night?---*The time you just mentioned, that night, that night.*

No, no, that doesn't work, Mr Wood. You've already told us that before you rolled up to see Mr Tong, one of the things you wanted to discuss with Mr Tong was the ICAC investigation, which means you must have known about it before you saw Mr Tong that night. So I ask you again, who told you about the ICAC investigation?---*I didn't know about this matter.*

Who are you trying to protect, Mr Wood?---*But this is all I have known, and I didn't want to protect anybody.*

10 Why of all nights did you decide to see Mr Tong on the particular night that you saw him?---(No Audible Reply)

Why not the week before, the week after, two months before, two months after?---*I asked Kenny to make the appointment so whichever date Kenny can get, that's the date I went.*

You didn't mind what date it was, just any particular date. Is that what you're saying?---*Just to make an appointment if he agrees to have which date that will be, that's it.*

20

Do you agree that this meeting happened in November of last year?---*Yes, you have mentioned it was in the evening, but exact date I couldn't recall.*

Do you agree that it happened in November of last year?---*Yes, it should be so. I couldn't recall.*

Do you agree that Dr Liao died in June of last year?---*Yes, correct.*

30 And do you agree that you knew about Mr Tong's health conditions from at least May of two years ago, 2017?---*Yes, correct.*

So why did you wait until November of 2018 to inquire about Mr Tong's health condition that you knew about since May of 2017 and to talk about Dr Liao's death that had happened in June 2018, some number of months before your car meeting in November of 2018?---*Because, yes, only at that time I have time to do so, yes, it's because he asked me so he asked me to help him so that's when I - - -*

40 That's a nonsense answer, Mr Wood, that's a nonsense answer. Are you saying you were too busy to inquire about your teacher's health and to speak about a death that had happened months ago? That was a lie that you've just told this Commission, wasn't it?---(No Audible Reply)

The timing had nothing to do with you being too busy. Do you agree? ---*That is a normal thing. That was the only time I have time to go and see him. That was really a normal practice.*

On the very day that you met with Mr Tong outside his house in your car, Mr Zhan told you that Mr Tong had received a summons from the ICAC, do you agree?---(No Audible Reply)

Do you agree?---*I don't recall, I couldn't recall he told me this.*

10 Kenny Zhan told you on the day that you met with Mr Tong that Mr Tong had been required to attend the ICAC, do you agree?---*I don't agree. In my memory, I didn't recall he had said so.*

So do you say that if Mr Zhan had said that to this Commission, that would be false, is that what you're saying?---*I don't know. I, anyway, I asked him to make arrangement for me to visit Mr Tong, that's all.*

20 And the reason you did that is because you found out that Mr Tong was required to give evidence before the ICAC, do you agree?---*Whether he was so or not, I just want to visit him concerning his health condition. Yes, then it was to tell him about the passing of Dr Liao, and also talk with him about (not transcribable) and the, the other trivia matters.*

Well, why did you wait four months to tell Mr Tong about the passing of Dr Liao? Was that because you were too busy to tell your teacher, Mr Tong? You didn't care about him enough to tell him earlier, is that right?---*I only had that time available, and I only considering to visit him at that time.*

30 So you had no time from 24 June, 2018, when Dr Liao passed away, until November, 2018, to discuss a matter as serious as someone committing suicide, is that what you're seriously saying?---*Because after Dr Liao passed away I was very sad indeed.*

THE COMMISSIONER: Mr Robertson, I mean you're putting to the witness things that some might say are obvious and he's not prepared to acknowledge what some might say is obvious, but we're getting to a point where - I'm not so concerned about the time, if we've got to go till 2 o'clock, that's fine, but - - -

40 MR ROBERTSON: No, no, no. I'll finish within the next five minutes or so. But you weren't so sad as to be incapable of setting up a meeting between Mr Tong and Mr Ernest Wong in Parliament House in September of 2018. Correct?

THE INTERPRETER: Excuse me, would you repeat.

MR ROBERTSON: You weren't so sad as to be incapable of setting up a meeting between Mr Tong and Mr Ernest Wong in September of 2018? ---*That was their matter. It should be discussed between them.*

It was nothing to do with time and nothing to do with being sad. The reason that you wanted to meet with Mr Tong in November of 2018 was to discuss the summons that he received from the ICAC the very same day. Do you agree?---*Yes, I don't really regard that matter was the major issue. My major concern is about his health. That's the reason I went to see him.*

I want to try one last time. Who told you about the ICAC investigation?
---*Nobody told me.*

10 Well, how did you know then?---*Talking about Dr Liao.*

Who told you that there was an ICAC investigation concerning donations?
---*Because when Dr Liao passed away there were a lot of letters and documents in his office on the desk. We did investigation.*

All right, let me help – so are you saying that you saw a letter in Dr Liao's desk talking about an ICAC investigation, is that what you're saying?
---*Yes, in his last words, he mentioned.*

20 Can I hand you this document? I'm going to give you a copy of the suicide note that was on the desk. Can you identify where it says anything about ICAC?---*This is one of the letters only.*

It's the letter that was on the desk.

THE COMMISSIONER: Do you agree with that, that was the letter on the desk?---*Yes, correct.*

30 MR ROBERTSON: And do you agree that that letter says nothing about an ICAC investigation?---*Yes, correct.*

So I'll try again. Who told you about the ICAC investigation?---*But here there's a line said, on the date of June 15, there was two detectives went to see him to investigate.*

THE COMMISSIONER: Yes. It doesn't say anything about the ICAC, does it? It refers to detectives.---*Detectives, which, meaning it was from the ICAC. Also, we have received letters from ICAC to Dr Liao.*

40 MR ROBERTSON: I see. What letters are you now referring to?---*The letter which you gave me, ask me, meaning to come, it, that letter also was, that kind of a letter was also on the desk of Mr Liao.*

So you had seen, had you, a letter requiring Dr Liao to attend before this Commission, is that right?---*Yes, it was after he passed away - - -*

No, no, no.---*- - - we went to see his office and checking, and because he mentioned the two detectives, we want to find out who these two detectives were.*

You had seen that letter before Dr Liao had passed away, hadn't you?

---*No, no, completely incorrect.*

THE COMMISSIONER: Which letter are we talking about, are we talking about that letter or - - -

10

MR ROBERTSON: You had seen the letter from the ICAC that told Dr Liao that he had to attend before this Commission to answer questions. Do you agree?---*No.*

And you saw that letter before Dr Liao had passed away. Do you agree?

---*No, it was wrong.*

And before you drove to see Mr Tong at his house, Mr Zhan had told you that Mr Tong had received a similar letter requiring Mr Tong to attend to answer questions in this Commission.---*No, it wasn't so.*

20

And that's why you wanted to see Mr Tong on that particular day in November 2018. Do you agree?---*No.*

And you told Mr Tong to stick with what he had said earlier. Do you agree?

---*In my memory I didn't say so.*

Well, does that mean you're not denying that you said such a thing, you just can't remember one way or the other?---*I did not say so.*

30

You may have said something like, "Just stick to what you said earlier and it will be fine." Do you agree?---*Truly I didn't say so, truly I couldn't recall.*

Well, truly you can't recall whether you said such a thing. Is that your evidence?---*Number one, I don't recall such a thing, the second, I couldn't recall I said.*

That's the examination, Commissioner.

40

THE COMMISSIONER: Thank you. We might mark that letter if we can.

MR ROBERTSON: Yes, thank you. It's otherwise in evidence but it might be convenient to mark that particular one.

THE COMMISSIONER: I think so, so we know what was in front of the witness. We'll mark that MFI 31, sorry, 30.

**#MFI-030 – LETTER SHOWN TO WITNESS (ALEX WOOD) ON 11
NOVEMBER 2019 AT 1PM**

THE COMMISSIONER: I'm not of a mind to release Mr Wood from his summons, just so there's no confusion about the fact that he has to come back.

10 MR ROBERTSON: Yes, he hasn't been released from his public inquiry summons and I will be calling him.

THE COMMISSIONER: Well, I think we'll let this one just float over.

MR ROBERTSON: Yes. And I will be calling him again in the public inquiry, as I've indicated to this solicitor, but I'm content with that course.

THE COMMISSIONER: I just don't want to say you're released from your summons and then you have difficulties later.

20 MR ROBERTSON: I understand. I'm not suggesting otherwise.

THE COMMISSIONER: All right. Is that okay? All right. Thank you. Thank you, Madam Interpreter. We'll adjourn.

THE WITNESS STOOD DOWN [1.09pm]

30 **AT 1.09PM THE MATTER WAS ADJOURNED ACCORDINGLY
[1.09pm]**