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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE RUTH McCOLL AO
COMMISSIONER

PUBLIC HEARING

OPERATION KEPPEL

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 13 OCTOBER, 2020

AT 10.00AM

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

THE COMMISSIONER: Mr Robertson.

MR ROBERTSON: Commissioner, today I'll recall Maggie Wang to complete the examination that I started with her on 29 September, 2020. I anticipate that that will be - - -

THE COMMISSIONER: Please have a seat for the moment, Ms Wang.

MS WANG: Oh, okay.

10

THE COMMISSIONER: Thank you.

MR ROBERTSON: I anticipate that that would be finished before lunchtime. I'll then make her available for cross-examination by anyone with leave to do so. That'll be the whole of the program of witnesses for today. I'll call Mr Maguire on Wednesday. I expect to be about two days or so with Mr Maguire. So still I hope to finish the main part of the public inquiry this week, but that'll obviously be affected by whether it's necessary for me to recall any further witnesses this week. But subject to that, I expect
20 the program of witnesses to be finished this week. Can I deal with a couple of housekeeping matters? First, during the course of my examination of Ms Berejiklian yesterday, I referred to a piece of paper with what was described as a direct email address. That piece of paper's now in the possession of your associate, but I'd respectfully ask that - - -

THE COMMISSIONER: I have it, I think on the (not transcribable), Mr Robertson.

MR ROBERTSON: Oh, it's now in the possession of you, then. I
30 respectfully ask for that to be marked for identification.

THE COMMISSIONER: Yes, that will become MFI 11.

#MFI-011 – PRIVATE NSW PARLIAMENT EMAIL ADDRESS OF GLADYS BEREJIKLIAN MP

MR ROBERTSON: I also referred in that examination to a response to a
40 notice to attend and produce a statement of information and documents which concerned particular emails that appear to have been sent to that direct email address by Ms Waterhouse. Firstly, I tender a bundle containing a notice to attend and produce a statement of information and documents, dated 2 September, 2020, and a response from the chief of staff to the Premier of 8 September, 2020.

THE COMMISSIONER: That will be Exhibit 335.

**#EXH-335 – SECTION 21-22 ICAC RESPONSE FROM GLADYS
BEREJIKLIAN MP**

MR ROBERTSON: And then I separately tender an email chain finishing with an email from the chief of staff to the Premier to Mr Grainger, dated 10 September, 2020, 11.22am, which provides certain clarifications to the response of 8 September, 2020.

10

THE COMMISSIONER: That will be Exhibit 336.

**#EXH-336 – EMAIL CHAIN BETWEEN HARLEY AND ICAC
SENIOR INVESTIGATOR DATED 10 SEPTEMBER 2020**

MR ROBERTSON: Those are the only housekeeping matters. I call Maggie Wang.

20

THE COMMISSIONER: Thank you, Mr Robertson. Ms Wang, please rise now.

MS WANG: Thanks.

THE COMMISSIONER: You wish to take an affirmation, I assume?

MS WANG: Yes.

THE COMMISSIONER: Please be seated, Ms Wang. Mr McInerney, does Ms Wang seek a section 38 declaration again today?

MR McINERNEY: Yes, Commissioner.

10 THE COMMISSIONER: Thank you very much. Ms Wang, I know you've heard this before but I'm going to read this to you again so again you should listen very carefully.---Thanks, Commissioner.

As a witness you must answer all questions truthfully and produce any item described in your summons or required by me to be produced. You may object to answering a question or producing an item. The effect of any objection is that although you must still answer the question or produce the item, your answer or the item produced cannot be used against you in any civil proceedings or, subject to two exceptions, in any criminal or disciplinary proceedings.

20

The first exception is that this protection does not prevent your evidence from being used against you in a prosecution for an offence under the Independent Commission Against Corruption Act, including an offence of giving false or misleading evidence, for which the penalty can be imprisonment for up to five years. The second exception only applies to New South Wales public officials, which you were at one stage one. Evidence given by a New South Wales public official may be used in disciplinary proceedings against the public official if the Commission makes a finding that the public official engaged in or attempted to engage in corrupt conduct.

30

I can make a declaration that all the answers given by you and all items produced by you will be regarded as having been given or produced on objection. This means you don't have to object with respect to each answer or to the production of each item. And I gather from Mr McInerney that you wish me to make that you wish me to make that declaration.---Yes, I do. Thanks, Commissioner.

40 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 the witness during the course of her evidence at this public inquiry are to be regarded as having been given or produced on objection, and there is no need for her to make objection in respect of any particular answer given or document or thing produced.

**PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT**

ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY THE WITNESS DURING THE COURSE OF HER EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION, AND THERE IS NO NEED FOR HER TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

10 THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Ms Wang, you'll remember on the last occasion you and I discussed some matters concerning the Shenzhen Asia Pacific Commercial Development Association. Do you remember?---Yes, I do.

Which I think is also sometimes referred to as the Shenzhen Council for the Promotion of Asia Pacific Commerce.---Yes.

20 And sometimes referred to as the Shenzhen Asia Pacific Commerce Council?---Yes.

You were the secretary of that organisation. Is that right?---Yes.

You also assisted in providing translation services from time to time. Is that right?---Yes.

And you prepared the minutes for that association from time to time?---Yes.

30 And you acted as an intermediary between Mr Maguire and Mr Ho Yuen Li. Is that right?---Yes.

You would speak to Mr Li in Mandarin. Correct?---Yes.

And you would then communicate with Mr Maguire as to what Mr Li had told you. Is that right?---Yes.

Sometimes you would be in the same place and you would provide immediate translation services. Is that right?---Yes.

40 But sometimes you would speak to Mr Li on the phone for example - - -? ---Yes.

- - - and communicate to Mr Maguire what Mr Li said to you. Is that right? ---Yes.

You remember on the last occasion I asked you some questions about a potential casino licence in Samoa?---Yes.

And is it right that there were some discussions within the Shenzhen Asia Pacific Commercial Development Association about the possibility of some Shenzhen businesspeople purchasing a casino licence in Samoa?---Yes, that was discussed.

That was a matter that was discussed for example on the trip that you attended to the South Pacific in April of 2017. Is that right?---Yes, Samoa.

10 And I'm just going to put up Exhibit 211. We're just going to show you a photograph. Do you remember when this photograph was taken?---Yes, it was on a trip.

And was this on the trip to Samoa?---Samoa, yes.

And I take it you agree that the woman in the back row is you?---Yes.

The gentleman on the right-hand side is Mr Ho Yuen Li?---Yes.

20 Do you know who the gentleman is on the left-hand side who's shaking hands with Mr Li?---It's Hobart, the CEO of Chamber of Commerce Samoa.

Is that Hobart Va'ai?---Yeah.

So Hobart I think is H-o-b-a-r-t and Va'ai, V-a'a-i.---Yeah.

And it looks like both Mr - - -?---Oh, sorry. Maybe the guy at the back. I can't - sorry, maybe the guy at the back is Hobart. Sorry, can't tell now.

30 But you at least have a recollection of having some communications with Hobart. Is that right?---Yes, that's right, yeah.

And he was associated with the chamber of commerce within Samoa?
---The CEO, yeah.

He was the CEO at that time. Is that right?---Yeah.

And you'll see that Mr Li and the gentleman who he's shaking hands with have got a couple of pieces of paper in their hands?---Yes.

40 Do you recall what that piece of paper is?---I think is MOU.

MOU, a memorandum of understanding?---Yeah.

And is that something that the Shenzhen organisation sought to do to get people in the South Pacific region to sign an MOU?---That's right.

And that MOU was about cultivating a business relationship between Shenzhen businessmen and people in the South Pacific region. Is that right?---Yes, with chamber of commerce, yeah.

In relation to Samoa it was signed by the chamber of commerce. Is that right?---Yes.

10 Now, after the trip to the South Pacific in April of 2017, there were still some steps taken to try and pursue the casino licence in Samoa. Is that right?---I, I can't recall exactly and there were some emails about gambling licence.

Is it right, though, that after the discussions in April of 2017, Mr Ho Yuen Li was, to your understanding, interested in possibly purchasing a casino licence in Samoa?---I think my, my recollection was that was they talked about that at that time and, and the email Hobart sent to me said, "As requested I send you this (not transcribable)" And also one document is about gambling. And then later on he send me a link of the gambling authority in Samoa and to get access as need get access to get into it, and I, I
20 check my email and I didn't send out the request. I, I can't really recall what happened, just my, my guess. You know, you know, I was thinking probably maybe I, because I need get back to Mr Li. Told him I received these emails and what this email is about, and he probably say something like, you know, it's, it's not practical to go or it isn't, Chinese Government not allowed to invest in casino kind of thing. I can't recall exactly because I did not send the request email, so I'm not sure what happened after that.

30 So is it right that after the trip to the South Pacific in April of 2017, you had a few discussions with Mr Ho Yuen Li regarding the Samoa casino licence?---I passed on the information they, the email they, they send to me onto him.

THE COMMISSIONER: Passed it on to Mr Li?---Mr Li about those email I received.

MR ROBERTSON: But you also had some telephone calls with Mr Li regarding the casino licence. Is that right?---Probably, yes.

40 And were you explaining that one of the issues you thought arose was about whether the government in China – or some regional government in China, perhaps – would allow Mr Li or his associates to invest in a casino licence in Samoa?---I think that's one of the policies they have, like a tons in some kind of areas Chinese Government not allow business to invest. It doesn't matter is government business or private business, they just don't allow them to invest in, and the casino is one of them.

Wasn't there also a question as to whether the Shenzhen business people could invest in a private company or whether they needed government

support at the Samoa end?---I wasn't quite sure about that, but there's one thing we found out when we were in Samoa, and so at that time, and so Samoa local people mentioned Shenzhen is the sister city of, what's the capital city of Samoa? I can't remember.

10 It's Apia.---Oh, Apia, yes. It is, is the sister city of Apia and, and, you know, Mr Li saw that is opportunity, you know, because Chinese Government sees sister cities very kind of, you know, they, they think it's quite important for them. So, so he said oh, if we use the name of the sister city between these cities it's, so it's easier to invest in the sister cities.

Did Mr Li explain to you that there may be some difficulty in getting money out of China to invest in a casino licence and hotel in Samoa?---No, he - - -

Not at all?---Not at all.

20 Was there any issue about whether either him or associates of him could invest in a private company rather than a government company?---No. He didn't mention any background of those business to me.

Was there any issue about attempting to get government support from Samoa before money could come out of China to invest in Samoa?---Oh, no, I, I think it was, he, he wanted to recognise the two sister cities' relationship. So and, you know, because basically each Chinese cities, not each of them, many Chinese cities have sister, you know, cities with other cities in the world. But if you have those kind of relationship, and if you do the tourism or investment or everything, you know, trade, and you, it's easier or, you know, favourable treatment by the Chinese Government.

30 Putting aside the sister city issues, what did you understand was any other problems with Mr Li or his associates investing in a casino licence in Samoa? Were there any other problems, such as the ability to get money out of China, something like that?---He didn't mention money to me at all.

Did Mr Li suggest to you that he couldn't invest in the casino licence in Samoa unless he obtained the approval of the regional government in Shenzhen?---No.

40 Did he tell you that he had sought approval from the Shenzhen Government in order to invest in the casino licence in Samoa?---No, I, I didn't ask, either, because I don't think that's even possible.

Did Mr Li suggest that in order to get money out of China, there needed to be a government-to-government relationship rather than a private company-to-private company relationship?---No, he didn't mention any of those kind of thing to me.

You don't remember anything of that kind being played, sorry, being discussed?---Mmm, no.

Let me try and help you this way. I'm going to play you a thing called a telephone intercept. This is a recording of a telephone call that you and Mr Maguire appeared to have had. The first one I'm going to play you was on 2 August, 2017.---Yeah.

10 That's telephone intercept 109. I'm going to play that call to you. You'll hear it out aloud. There'll be a transcript. It'll come up on your screen. ---Yeah.

And then I'll ask you some questions about that.

AUDIO RECORDING PLAYED

[10.18am]

20 MR ROBERTSON: So Ms Wang, do you agree that one of the voices on that recording was yours, and one was Mr Maguire's?---Yes, yes, yes.

Does that refresh your memory that you did have a discussion with someone who suggested that it was difficult to get money out of China?---Yes.

30 And that person that you had that discussion with was Mr Ho Yuen Li, is that right?---Looks like, but I'm, I'm not 100 per cent sure, because I saw a Chinese document which is, some friends sent over on WeChat. Is a formal Chinese Government said that certain area cannot be invested in. So, yeah. I, I could get from there as well, but from, from this contact, yes, I, I think, I, I won't deny I got that information from Mr Li.

And you agree, don't you, that around August of 2017, which is the time of this call, you were in discussions from time to time with Mr Li?---I may get this wrong but I remembered at that time probably I received email from chamber of commerce.

40 The chamber of commerce in Samoa, is that what you mean?---From Samoa, yes. And send a letter to Shenzhen Government based, you know, I, I, I can produce that email I think, and so, and I pass on to Mr Li and Mr Li said, "This is not appropriate way to do it," so if chamber of commerce in Samoa wanted to contact Chinese Government they should contact the chamber of commerce in Shenzhen instead of Shenzhen Government. If you want contact Shenzhen Government, they have to go through Samoa Government to do it. So has to be government to government, chamber of commerce to chamber of commerce. Cannot do other way around.

And was it that Mr Li wanted some contact to be made with the Shenzhen Government?---That's correct, because she wants do through sister city to make it easier.

10 So let's be clear about this. Mr Li wanted the Shenzhen Government to have some involvement in the proposed purchase or the casino licence in Samoa. Is that right?---I don't think so, and what he tried, my understanding he wanted achieve at that time is, you know, he just wanted investment getting easier to be approved in China. But in doing that, if two cities are sister cities and will be so much easier for Chinese Government to get approved investment the capital going out of China because China has very tight financial, you know, currency control, and if you are not two sister cities, that will be so much harder. So that's he trying to do.

So just to deal with that in steps, Mr Li, as you understood it, wanted the approval of the Shenzhen Government to invest in the casino licence in Samoa. Is that right?---No, it's not casino at that stage anymore.

20 Well, what was it at that stage then, if it wasn't the casino?---He wanted to build a big, like a market kind of thing and you buy, replace 700 workers laid off by Japanese electronic car factory which was going to close down. He wanted use the location of that factory and he want to use the workers in that factory.

And he wanted the Shenzhen Government's approval to make that investment in Samoa. Is that right?---Yeah. The government wouldn't put many, any money in and but the money going out of China needs government approval.

30 And particularly the approval of the Shenzhen Government. Is that right? ---That's right.

And I think you're explaining that to try and make that easier, Mr Li wanted to take advantage of the fact that Apia has a sister city relationship with a city in Shenzhen. Is that right?---That's right.

40 But that Mr Li wanted some sort of letter from the Samoan side that he could provide to the Shenzhen Government. Is that right?---That's right, yes.

And first of all a letter was obtained from the chamber of commerce in Samoa. Is that right?---Yes.

But that wasn't satisfactory because that was a letter from the chamber of commerce and not from the government. Is that right?---Exactly right.

And so were any steps taken to attempt to get a letter from the Samoan Government rather than from the chamber of commerce?---Yes, and I think
- - -

Who took those steps?---I think a few steps taken to do that and take a while and I can't remember exactly if they get letter or not and sometimes I remember I contact Hobart and Hobart said, "Oh, no problems, on the trip with the Minister of Trade," or something. And then I was busy around the trip, you know, it's been delayed, and – sorry, I can't recall exactly what's
10 happened during those period. At, at the end Daryl Maguire helped draft a letter.

He helped draft a letter or he helped draft a letter and helped getting it signed by someone from Samoa?---I, I can't remember exactly but he did draft the letter. It wasn't me draft the letter, so - - -

He drafted the letter and he arranged for someone within the Samoan Government to sign it. Is that right?---I can't remember he, he get someone to sign it but I, I remember he drafted the letter.
20

Was a letter ultimately obtained from the Samoan Government?---I, I can't remember. I can find out from the emails.

But you're saying Mr Maguire was at least involved in signing the, sorry, in drafting the letter. Is that right?---Yes.

And he might have also done some other things in relation to the letter. Is that right?---Yes, and I think he's, also he, he draft the letter himself in his name and sent it off.
30

So he wrote a letter of his own. Is that what you're saying?---Yeah, that's right.

But he also drafted a letter to be signed by the Samoan Government. Is that right?---I, sorry, I can't remember exactly that bit, but I can find out because it's my email.

But what you seem to be saying is that what Mr Li needed to help get his money out of China was a letter from the Samoan Government. Is that
40 right?---That's right.

Because having such a letter will make it easier to get the approval of the Shenzhen Government for an investment in Samoa. Is that right?---Sister cities, yes.

Well, not just sister cities. To get any investment from money from China into the South Pacific region, as you understood it, Mr Li needed the

approval of the Shenzhen Government. Is that right?---That's correct, but it's quite difficult to do, but if sister cities will be so much easier.

It's difficult to get that approval, but if you show that there is support from the Samoan end, including through sister cities, it might be easier to get the approval of the Shenzhen Government than it might otherwise be the case. Is that right?---Exactly, because they have a special policy for sister cities.

10 And that issue was something that you discussed with Mr Li on more than one occasion. Is that right?---Yes. He insist it has to be done that way. It cannot be, you know, the, the chamber of commerce send the letter to the government.

And it's a matter that you discussed with Mr Maguire as well on more than one occasion. Is that right?---Yes.

20 You would communicate with Mr Maguire as to what Mr Li was telling you regarding his proposed investments in the South Pacific region. Is that right?---I think Mr Maguire didn't get it when I first spoke with him so I have to take a few times to explain what is sister cities about so - - -

But you were communicating with Mr Maguire on a number of occasions to tell Mr Maguire what Mr Li had told you. Is that right?---Yes.

30 Was there ever a point at which Mr Maguire was concerned whether Mr Li was sufficiently committed to the casino project in Samoa? Did Mr Maguire ever say something to you like I'm a bit worried about Mr Li and whether or not he's still interested in this casino project?---No, because I, it wasn't, I don't have much recollection about this casino thing but the whole thing they were talking about is the 700 workers being laying off in, you know, a couple of months, you know, after we visited there. So how, you know, the Samoa, you know, Government is, you know, chamber of commerce was helping as well he's a bit worried about how to accommodate those laid off workers.

40 Do you remember Mr Li ever, sorry, do you remember Mr Maguire ever being concerned about whether Mr Li was actually going to invest and instead suggesting that other investors should be looked for?---I'm not quite sure about that.

Well, do you remember any suggestion that Mr Maguire should look at getting Japanese interests involved in a project in Samoa rather than Chinese interests?---I, not I'm aware of because that Japanese, you know, car, you know, car, you know, wiring company is, you know, they withdraw the investment, so - - -

But do you remember Mr Maguire ever suggesting that perhaps the Japanese might be interested in the casino project rather than Mr Li and other Chinese interests?---Not I'm aware of.

Let me try and help you this way, then. Can we go intercept 1187, which is an SMS, 18 September, 2017.

THE COMMISSIONER: I don't think you tendered that earlier TI, Mr Robertson.

10

MR ROBERTSON: I'm grateful for the reminder, Commissioner. I tender telephone intercept 109, 2 August, 2017, excerpt and associated transcript.

THE COMMISSIONER: So that will be Exhibit 337.

**#EXH-337 – TRANSCRIPT AND AUDIO OF INTERCEPTED
TELECOMMUNICATION SESSION 109 DATED 2 AUGUST 2017 –
EXTRACT**

20

MR ROBERTSON: So I'm now showing you a message between Mr Maguire and you, 18 September, 2017. "G'day, I just landed. Will call you in 10 as I net Japan." Probably means "met Japan". "Told them about Samoa problems with wire harness factory." Do you see that there?---Yes, that, that's the factory I'm talking about.

Now, was that the particular factory you were talking about - - -?---Yes.

30 - - - where 700 workers might be laid off?---Yes. Yes.

"Perhaps we should discuss with Hobart," that's the gentleman from the chamber of commerce in Samoa, is that right?---Yes. Yep.

"And arrange a meeting with Japan if Mr Li is going to stuff around with projects." See that there?---Yes.

40 So does that refresh your memory that Mr Maguire was suggesting that maybe Mr Li wasn't interested or was going to stuff around with projects in Samoa, and instead that Japanese interests might be looked at?---Yes. But wasn't quite sure that's about casino.

No, this one looks like it might be about the wire harness factory you were referring to before.---Yes, that's right.

Or at least some projects in Samoa.---Yes.

But does that refresh your memory that, at least as you understood it, Mr Maguire was considering introducing Japanese interests to be involved in Samoa projects, perhaps the casino or perhaps the wire harness factory?
---Yes.

And do you see towards the end, it says, "He's going to stuff around with project. What do you think?" Do you remember what project Mr Maguire was interested in at that point in time? Or perhaps what projects, plural?
---The project, because Mr Li ask for the floor plan of that factory and, you
10 know, he, because he was quite interested in that one.

Because that factory had been shut down - - -?---Yes.

- - - by the time of the communication we can see on the screen, is that right?---That's right, yes.

And so there was a factory there which was essentially empty.---Yes.

With a whole lot of workers who were working there but they had been laid
20 off because (not transcribable).---Yes. That's right.

And Mr Li was, what, interested in potentially taking over that site, is that the idea?---That's right, yes.

And as you understood it, what was Mr Li interested in doing with that site?---He wants to, like, market kind of thing. So, like, you know, because the 700 people, they, so basically, you know, because Shenzhen has all, you know, can supply all of, like, you know, electronics stuff, you know, all the clothes, you know (not transcribable) everything, basically, from Shenzhen,
30 and so those 700 workers can have their own, you know, own shop, so somewhere. And so what his plan is, because Samoa is quite small country, so, so if use Samoa to supply, you know, to the whole region, South Pacific region, so that could be, you know, could work. Not only for Samoa, one country, for the whole Pacific region.

And is that the particular project that you understood Mr Maguire to be referring to in the messages that I showed you on the screen a moment ago? As in - - -?---I think they was, they was talking at that stage, yeah.

40 But talking about what would be done with the wire harness factory that had been shut down?---Yes, that's right.

And so, in other words, Mr Maguire was suggesting, as you understood it, that maybe if Mr Li might not be interested, maybe we should speak to Japanese interests about being interested in that project. Is that what you're saying?---Maybe. Because I don't know any Japanese. Maybe that was his contact.

Or did you have any communications concerning potential Japanese interests in any projects in Samoa?---He didn't mention anything.

No, but did you have any involvement in any Japanese interests, anything of that kind?---No. No.

I tender telephone intercept 1887, SMS of 18 September, 2017.

THE COMMISSIONER: Exhibit 338.

10

**#EXH-338 – TRANSCRIPT OF INTERCEPTED
TELECOMMUNICATION SESSION 11887 - SMS DATED 18
SEPTEMBER 2017**

MR ROBERTSON: Now, in terms of the letter problem you were identifying before, Mr Li wanting to get a letter from someone within government in Samoa to help him get the approval of the Shenzhen
20 Government, do you remember what involvement, if any, Mr Maguire had in obtaining that letter?---Yes. Yes, and that be, took a few months to get that done.

What did Mr Maguire do to assist in getting that letter, if anything? I think you said before he prepared a draft, but was there anything else that he did? ---I, I can't remember. He, he, I think he draft letter, and also he did letter on the top of that for endorsement.

You mean a letter that Mr Maguire signed himself?---Yeah. I remember it
30 was printed on his, you know, with his picture and was kind of - - -

On his letterhead with his signature, is that right?---Yeah. Yeah.

And did Mr Maguire help with the first letter that you're referring to, the one that came from the chamber of commerce rather than from the Samoan Government?---No, the, the, the Samoa Chamber of Commerce didn't have any problems sending that letter, which they already did send to Shenzhen Government.

40 Who asked for that letter? Was that asked for by you, or by Mr Li, or by Mr Maguire, or by someone else, do you know?---I, I wasn't quite sure, because we only found out Apia is a sister city of Shenzhen when we were there. So they could mention something at that time.

Let me try and help you this way. I'm going to play you another recording, 1891, an extract of a call from 18 September, 2017.

MR ROBERTSON: So just to understand the state of play as at 18 September, 2017, Mr Maguire says towards the very end, "We need to get this letter problem fixed for Li." Do you remember hearing that?---Yes.

And that's a reference to Mr Li wanting a letter from someone within the Samoan Government - - -?---Yes.

10

- - - so then can help Mr Li get the approval of the Shenzhen Government for investment in Samoa. Is that right?---So I think what happened was, the Chamber of Commerce in Samoa already send letter to Shenzhen Government and also he send me a copy of that, something like that, and Mr Li said, "Oh, it is ridiculous, how could Shenzhen Government, you know, take any notice about chamber of commerce, has to be government to government, has to be in sister city." So when Daryl ask Vanuatu which was the agreement, you know, MOU was signed by the Government Minister for Tourist or Trade or something, and I said, "No, no, that cannot be done because they are not sister cities," because sister cities have special policy in China for investment.

20

And so it was Mr Li who was making clear to you that there needed to be a government to government communication. Is that right?---Yes, only between Apia to Shenzhen as sister cities.

And that was to help Mr Li get the Shenzhen Government's approval for an investment in Samoa. Is that right?---Samoa, yes.

30

And Mr Maguire was suggesting, well, maybe we get a government-to-government letter from Vanuatu first.---Yes.

And you're effectively saying, "Well, that's not going to help because I need it from Samoa and not from Vanuatu." Is that right?---Sister cities, yeah.

Did Mr Maguire ever ultimately provide assistance to get a government to government letter from Samoa?---Looks like he did. I can't recall exactly. So if he didn't, he wrote letter himself, I remember he wrote the letter himself, I think I send, I send it off myself, so I remember that.

40

Sorry, are you referring to a draft letter to be sent by the Samoan Government to Shenzhen or are you talking about a letter from Mr Maguire on Mr Maguire's letterhead?---I can't recall if any letters from Samoa Government, but I can recall a letter signed by Mr Maguire with his letterhead and I sent it off by registered post myself.

Can we go please to page 349 of volume 18, and while that's coming up I tender telephone intercept 1891, 18 September, 2017.

THE COMMISSIONER: Exhibit 339.

#EXH-339 – TRANSCRIPT AND AUDIO OF INTERCEPTED TELECOMMUNICATION SESSION 1891 DATED 18 SEPTEMBER 2017

10

MR ROBERTSON: Now, I'm going to show you a letter from the Samoa Chamber of Commerce and Industry of 21 July, 2017, so a little bit before the 18 September, 2017 call that I've shown. Do you see that there?---Yes, I saw this letter.

Now, is that the letter that you're referring to before - - -?---Yes.

20 - - - being the letter from the Samoa Chamber of Commerce and Industry to the Shenzhen People's Government?---Yes.

And that's the letter that wasn't satisfactory because it was chamber of commerce to government rather than government to government?---Yes, that's exactly right, yes.

And so the particular problem you were speaking to Mr Maguire about is the necessity to obtain not a letter like this one, but a letter coming from the Samoan Government?---Yes.

30 I tender letter from Samoa Chamber of Commerce and Industry Inc to the mayor and Shenzhen People's Government, 21 July, 2017, pages 349-350, volume 18, public inquiry brief.

THE COMMISSIONER: That will be Exhibit 340.

#EXH-340 – LETTER FROM SAMOA CHAMBER OF COMMERCE & INDUSTRY INC TO MAYOR OF SHENZHEN DATED 21 JULY 2017

40

MR ROBERTSON: Ms Wang, you'll remember there was reference on the last call I played to you about Mr Maguire speaking to the Japanese regarding the factory. Do you remember hearing that?---Yes.

Does that refresh your memory that there was some suggested involvement by the Japanese in some investment in Samoa?---That factory was Japanese investment. I wasn't quite sure about new Japanese investment.

Well, what I'm really suggesting is - - -?---He never mentioned that.

- - - do you remember Mr Maguire saying to you, "I'm concerned about Mr Li. I'm concerned about whether he's for real on this proposed investment. Should we work on getting the Japanese involved?" Do you remember some discussion to that effect with Mr Maguire?---I can't recall because I have no connection with Japanese.

10 But do you at least remember, in the telephone call that I played you, there was a reference to the Japanese. Remember that at the very start?---Yes. Yes.

And do you recall anything coming of that? Did you have another discussion with Mr Maguire or did you speak to Mr Li and say, "Look, you better hurry up and get involved because, if you don't, the Japanese might get involved instead of your business interests"?---No, I didn't because I didn't take any notice. If people tell me, you know, "We have someone, you know, there. You need to hurry up," I don't think anyone paid much
20 attention to that.

And so are you saying, as best you can recall, other than Mr Maguire referring to Japanese interests at the start of the call that I played you a moment ago, 18 September, 2017, you didn't have any other involvement in the idea of the Japanese, or Japanese interests, potentially investing into Samoa?---No. Because, you know, that factory was Japanese factory. If they're interested, you know, it's easier for them to get it, is it, so. Anyway, I didn't pay any attention to it, no.

30 So by that you mean before the factory had shut down, the factory was associated with Japanese interests, is that right?---That was, that was Japanese investment and their, it's their business to export industry there, mixing of, you know, single, single export, you know, business in Samoa.

And that was exporting what, do you remember?---Exporting, they doing all the wirings for all, you know, almost heaps of, you know, Japanese cars, Toyota, Mitsubishi, all Japanese cars.

40 But that factory had shut down and Mr Li was considering whether he could buy that factory and invest in it. Is that the idea? And turn it into markets, I think.---Not buy, yeah, not buy, use the location. And the Hobart send us the floor plan for that, the whole factory.

Now, after 18 September, 2017, the date of the call that I just played to you, did you have any other involvement or discussions with Mr Li or Mr Maguire about the government approval, the Shenzhen Government approval that Mr Li was seeking from the Shenzhen Government?---I think Mr Li got a letter from Shenzhen Government to Samoa Government.

From the Shenzhen Government to Samoa or the other way around?---I, I can't remember. I can't remember exactly. But it got some, some letter.

Do you know whether Mr Li ultimately obtained the approval of the Shenzhen Government for an investment into Samoa?---I don't think so because need approval, you need project. Haven't got project, so, you know, you can't get approval without the project.

10 Well, what about the project associated with the shutdown factory? That was a project that Mr Li was interested in, wasn't he?---Yeah. That's right, yes. He was interested in, but hasn't gone to that stage.

And at that stage was Mr Li, as you understood it, still interested in the casino and resort in Samoa or not?---No, not that stage.

So at that point in time, you thought it was focused on the wire harness factory?---Yes. Because Hobart mentioned a few times because it's quite, you know, urgent issue at that time.

20

But do you agree that soon after the last call I played you, 18 September, 2017, it looked like Mr Li was interested in investing and it looked like that he would be likely to get the approval of the Shenzhen Government for an investment?---Yes. And only because of sister cities, it's easier to get done.

But as well as potentially investing in Samoa, Mr Li was also interested in investing in other South Pacific countries, is that right?---Yes.

30 And Mr Li wanted to be put in contact with people in Tonga, for example, with a view to investing, is that right?---Yes. Yes.

In fact, he wanted to meet with the Tonga Prime Minister. Is that right? ---Don't think so, because the Tonga we met is chamber of commerce.

But didn't Mr Li want to meet with the Prime Minister of Tonga?---Not to my knowledge, no.

40 Well, do you recall speaking to Mr Maguire, asking Mr Maguire for help in setting up a meeting with the Tonga Prime Minister for Mr Li?---I don't recall that, unless you can refresh my memory.

I'll try this way. I'm going to play you a call of 27 October, 2017. 3163.

AUDIO RECORDING PLAYED

[10.51am]

MR ROBERTSON: So, Ms Wang, just to understand the situation as at 27 October, 2017, is it right that, at least as you understood it at that point in time, Mr Li was interested in investing into Samoa?---Yes.

And it looked like he would get the approval of the Shenzhen Government in order to do so, is that right?---Looks like, yeah.

10 But Mr Li wanted to have a discussion regarding his proposed investment with the Prime Minister of Samoa. Is that right?---Yes, looks like it, because that Japanese factory is the biggest export business in the whole country, and 40 per cent of the whole country is from that factory. So if he took over that factory, that would be the biggest thing in that country.

And so you asked Mr Maguire to help try and set up a meeting with the Prime Minister of Samoa, is that right?---Yes.

And that's because Mr Li wanted such a meeting, is that right?---Yes, at that high level.

20 And so Mr Maguire – I'm so sorry?---At that, a high level, because if they go, you know, investment at that level, you know, is common thing, yeah.

This would be a very significant investment for the Samoa country?---Yes. Samoa. Absolutely.

And so Mr Li wanted to deal with that proposed investment on a very high level within Samoa.---Yes.

30 And therefore wanted a meeting with the Samoan Prime Minister. Is that right?---Yes.

And Mr Maguire, as we heard on the recording, said to you that he would attempt to set up that meeting through the Consul of Samoa in Sydney. Is that right?---Yes.

During the course of the call, there was a discussion about a meeting that I think you and Mr Maguire had with Hobart in Parliament House?---Yes.

40 Was that Parliament House in Sydney?---Yes.

And who arranged that meeting? Was that Mr Maguire who arranged that meeting?---Yes, and I think Hobart, I pick up Hobart from, from hotel, and drop him off there.

And who was present at the meeting? Mr Maguire was there, Hobart was present - - -?---And me.

You were there as well?---Yep.

Anyone else, or just you?---No.

And you also referred to a lunch, I think it was, with the Consul of Samoa?
---Yes.

And again, was that a lunch that Mr Maguire arranged?--- Yes.

10 Can you remember where that lunch took place?---Yes, in the Parliament
House, and with all those consul or consul generals from those countries we,
we visited.

So there was a lunch with a series of consuls or consuls general that Mr
Maguire arranged, is that right?---Yes. Yes.

20 And during the course of that meeting, there was discussions as to potential
investments into various countries, including Samoa. Is that right?---I, I
can't remember what discussed in that meeting, because it's a, only a lunch,
and so many people there. You know, I, I, I don't think it wasn't any
business, serious business kind of talking.

Do you remember whether any minutes were taken regarding the
discussions that took place at the lunch?---Oh, I, I think so, but I can't recall
exactly. I, I remember the, the consul from those, you know, some like
Solomon Island? Oh, I can't, I, I can't, I - - -

30 The Solomon Islands perhaps?---Sorry, I can't remember exactly but
probably those four countries or six countries would have been there. I can't
remember, sorry.

In fact, was there two separate lunches around about May of 2017. Do you
remember that?---I can't remember exactly. I thought Mr Li met
Waterhouse at that lunch too.

You're referring to Ms Waterhouse. Is that right?---Yes.

And Ms Waterhouse was an Honorary Consul of Tonga. Is that right?
---That's right, yes.

40 But during the course of the lunch there was at least some discussion about
business activities as well. Is that right?---Yes, briefly.

And Mr Li was present at this lunch, wasn't he?---Yes.

And so Mr Li through an interpreter was talking about potential investments
that he might make in the South Pacific region. Is that right?---Yes.

Can we go, please, to page 291 of volume 18.

THE COMMISSIONER: Did you want to tender that TI?

MR ROBERTSON: I do, thank you, Commissioner. I tender telephone intercept 3163, 27 October, 2017.

THE COMMISSIONER: Exhibit 341.

10 **#EXH-341 – TRANSCRIPT AND AUDIO OF INTERCEPTED
TELECOMMUNICATION SESSION 3163 DATED 27 OCTOBER
2017 – EXTRACT**

MR ROBERTSON: Ms Wang, do you recognise these minutes, Minutes of the Shenzhen Asia Pacific Commerce Council?---Yes, yes. That's a lunch.

Did you prepare these minutes?---Yes, I did.

20 And do these accurately set out the topics of discussion at the lunches on 3 May, 2017 and 17 May, 2017?---Yes.

And if you have a look at 17 May, 2017, do you see that there's a reference to the Consul General of Samoa?---Yes.

And so when you're referring on the recording that I played you of 27 October, 2017 to the lunch with the Consul General of Samoa, were you referring to the lunch that took place on 17 May, 2017?---Yes.

30 And we can turn, please, to page 295.

THE COMMISSIONER: So Mr Maguire, Mr Li and yourself attended both lunches?---Yes.

MR ROBERTSON: And I think Ms Waterhouse attended both lunches as well. Is that right?---I can't remember.

THE COMMISSIONER: I'm not sure that's correct, Mr Robertson.---I don't think. It's a while ago.

40

If you go back to those minutes, she only attended the first one.

MR ROBERTSON: Page 291. So go back to page 291, volume 18. Commissioner, you'll note the first name under 3 May and the second-last name under 17 May.

THE COMMISSIONER: Oh, well, I see.---Oh, yes, both.

Then the next heading is inaccurate because it says attendees on both days and it doesn't include her. Yes, I see that's correct now.

MR ROBERTSON: So, Ms Wang, is it your best recollection that Ms Waterhouse attended both of the - - -?---Yes.

- - - two lunches or just one of the lunches?---Both lunches.

10 THE COMMISSIONER: Are you going to tender those minutes before - - -

MR ROBERTSON: They're already in evidence. I'll just bring up the exhibit number. If we can go to page 295 of the same document. If you just read paragraph 27 to yourself. Let me know when you've read that paragraph.---Yes.

20 And so do you agree that one of the things that Mr Li pointed out to the consuls and consuls general at the lunches was that the success of his proposed projects relied on government support within the South Pacific region?---Yes.

And an example of that was in relation to Tonga – sorry, I withdraw that – in relation to Samoa the importance of getting a letter from government that could be given to the Shenzhen Government to obtain the Shenzhen Government or to help obtain the Shenzhen Government's approval for investments. Is that right?---Yes. Sorry, I think the first step is to get Shenzhen Government to recognise the sister city, sister city between two countries. That was the first letter sent out, and to get the government to support the project, that was, it will come later.

30 But is it right to say that, as you understood it, an important aspect of Mr Li being able to invest in the South Pacific region was for him to be able to demonstrate that he had the support of the governments in the South Pacific countries that he wished to invest in?---Yes.

40 Now, in the last call that I played you there was discussion about Mr Maguire attempting to set up the meeting with the Samoan Prime Minister, and you remember Mr Maguire said, "I'll make contact with the Consulate of Samoa in Sydney." Do you remember whether Mr Maguire set up any meetings with the Samoan Consulate in Sydney concerning potential investments in Samoa?---No, I don't recall that.

Well, do you remember attending any meetings with the Samoan Consul General in Sydney to talk about investments in Samoa?---Yes, that was later, in Hurstville. Is that the one? Is I think the Hurstville?

Possibly in Liverpool.---Oh, Liverpool, sorry, Liverpool. Some south, yeah, Liverpool, yes, went there, yeah.

So you had a meeting with someone from the Samoan Consulate in Liverpool.---Liverpool.

Is that right?---Yes.

And who attended that meeting?---Mr Li.

So Mr Li, you, and someone from the consulate. Is that right?---Yes.

10 Who arranged that meeting?---I can't remember if it's Hobart or Mr Maguire. I can't remember that one.

Is it possible that it was Mr Maguire who made those arrangements?
---I, I, I can't be sure.

Was Mr Maguire in attendance at the meeting?---No, not him.

And did you report back to or did you discuss with Mr Maguire the meeting that you had with the Samoan Consulate?---Quite possible.

20

Let me help you this way. 4458, 8 December, 2017.

AUDIO RECORDING PLAYED

[11.08am]

MR ROBERTSON: So do you agree that what you were discussing with Mr Maguire towards the start of that call was the meeting that you had the previous day with Mr Li at the Consulate of Samoa?---Yes.

30

And was at least one of the topics that was discussed with the representatives from the Consulate of Samoa the possibility of Mr Li investing in Samoa?---Yes.

And so that was a meeting to try and further progress the proposed investments that were sought to be progressed in the previous few months, is that right?---Yes.

40 Do you know whether Mr Li ultimately got his meeting with the Samoan Prime Minister?---Not to my knowledge.

But is it right that the meeting with the consulate, at least, was for a similar purpose, to try and encourage Samoan Government support for Mr Li's then proposed investments into Samoa.---Yes.

Do you know whether Mr Li ultimately did invest in Samoa?---I'm not sure.

You're not sure one way or the other.---No, not to my knowledge. Not, I'm not sure, no.

As I think you explained on the last occasion, you were hoping that some of these business deals in the South Pacific might be successful, in part because you might make some commission yourself, is that right?---I hope so but not, you know, if I just go there, you know, have a look around because I haven't been those beautiful countries. I'm happy with that.

10 Were you ultimately paid any commission or other fees in relation to your work for the Shenzhen Asia Pacific Commerce Council?---Not yet.

Not yet? You're still - - -?---No. They haven't paid me yet, no.

When you say "not yet", are you still hopeful of receiving some sort of payment?---If, if, if they making any money, yeah.

20 And is that organisation still going? Is that organisation still trying to invest in the South Pacific, do you know?---Not sure.

Well, you were the secretary of that organisation, is that right?---The thing is, I don't have, you know, they took my computer, took everything from me. I can't do anything anymore.

Well, when's the last time you had any communications with Mr Li?---Was long, long, long time ago.

30 And so is it right that, at least recently, you haven't had any involvement - - -?---No.

- - - in that organisation?---Not at all, no.

Have you had any involvement in that organisation since Mr Maguire resigned from parliament?---That's exactly right.

Which was July 2018.---Yes. That's exactly right.

No involvement since that point in time?---No.

40 So is it right, then, that once Mr Maguire was no longer a member of parliament, the Shenzhen organisation effectively was at an end, is that right?---I wasn't quite sure because, you know, I, I wasn't in the, you know, in the state or in the, you know, any kind of state keep working or, you know, just myself.

But you had involvement in the Shenzhen organisation when Mr Maguire was a member of parliament, is that right?---Yes.

But you've had no involvement in that organisation since Mr Maguire ceased to be a member of parliament, is that right?---That's right.

Now, towards the end of the call there was some discussions about a potential trip to Papua New Guinea and the Solomon Islands, do you remember that?---Yes. Yep.

And there was a reference to Mr Maguire setting up meetings with the Prime Minister and Deputy Prime Minister of Papua New Guinea.---Yes.

10

Did that trip ultimately happen, the one to Papua New Guinea and the Solomon Islands?---Yes.

Did you go along on that trip as well?---Yes.

Did Mr Maguire offer any assistance in setting up meetings?---Ah - - -

20

Was he involved in setting the itinerary and things of that kind?---So when we arrived Solomon Islands, he already there with a doctor 'cause they're doing charity things in Solomon Islands. So - - -

So when you arrived in the Solomon Islands, Mr Maguire was already there, is that right?---Yes.

But to your knowledge, did Mr Maguire, was he involved in setting up the itinerary, as in who you would meet with, who Mr Li would meet with, things of that sort?---Yes. He, he didn't mention anything, but I think we just assume he would do it.

30

Well, wasn't it more than that? Didn't Mr Li ask Mr Maguire for assistance in setting up meetings?---Yes.

And so Mr Li identified people who he wanted to meet?---No. Oh - - -

Is that right?---Yes. Yes.

And you spoke to Mr Maguire about that?---Yes.

40

And Mr Maguire made arrangements to meet those individuals that Mr Li identified, is that right?---Mr Li just say he wants to make, to meet chamber of commerce, that's it.

Well, he also wanted to meet the Prime Minister and Deputy Prime Minister. Is that right?---This is Mr Maguire offered, I don't think that Mr Li would want to see.

No, but didn't Mr Li, as you were explaining before, want to have connections with government in the South Pacific to make it more likely that he would obtain approval from the Shenzhen Government to invest? ---I think what he's, this is my guess, my understanding from my side, he want contact with chamber of commerce so to work out if any business opportunity there and once he can work it out is a project there at Samoa, because they have so many worker laid off, unemployed, so, and he saw that opportunity and from that stage he would, you know, to think how things could worked out, you know, to how to get land, because to get land need government approval and also tax, you know, get tax exemption the things need government and he will do that at, you know, a later stage. But the first contact to identify if any business opportunities, he only talk to the chamber of commerce and because I think the, the, the, the first country will not make – I think it was the first country we went to was Vanuatu and so we couldn't meet anyone there, so, and Daryl just walked into the Department of Tourism and Trade, Tour and Trade all together, and met the minister there, just walk into it, just, you know, and he just introduce himself and - - -

20 When he introduced himself, do you know what he introduced himself as, did he say, "I'm here with the Shenzhen Business Organisation," or did he say, "I'm here, I'm a member of parliament in New South Wales," or how did he introduce himself?---I, I can't, I can't remember exactly words.

But this was in Vanuatu wanting to speak to a minister in Vanuatu. Is that right?---Yeah. So because they have a cyclone there so we got stuck, so we just tour round.

30 And that was in the trip that happened in April of 2017. Is that right? The earlier trip?---Yeah, earlier trip. And then that was, I was, you know, Mr Li didn't go and only Gordon and me and Daryl end up, so Daryl say, "Oh, you know, we haven't meet anybody here," so we just, you know, tried the Department of Trade. So, so we went there and outside the building just happened, you know, the minister was there.

40 But focussing on the later trip to Papua New Guinea and the Solomon Islands, do you agree that there were some communications between you, Mr Li and Mr Maguire through which Mr Maguire would set up some meetings with government officials in Papua New Guinea?---He did mention that but I, I, I, I, I don't think that was Mr Li's intention to meet the Prime Minister.

Well, why was Mr Maguire on the call that we just played talking about arranging meetings with the Prime Minister and Deputy Prime Minister of Papua New Guinea?---I think he, just a guess, he knew the consul general so he thought through that, you know, channel, can be - - -

And are you saying he thought that it might assist Mr Li if Mr Li got to meet the Prime Minister and Deputy Prime Minister of Papua New Guinea?---I don't know what he's thinking but that didn't happen. Even the person didn't meet us at airport and Mr Li got really, really upset and basically he said, "I'm off, I'm off," you know, you know, Mr Li just went off do his things in PNG.

10 Mr Li was very angry about the arrangements that had been made or not made for the second trip to Papua New Guinea and Solomon Islands. Is that right?---Solomon Island was all right but with Papua New Guinea he just say, you know, "That's it, I'm, you know, you do your things, I do my things," and I don't think they never been together even one day in Papua New Guinea.

But before the Papua New Guinea trip do you agree that you had communications with Mr Maguire where the two of you were talking about setting up meetings, including a potential meeting with the Prime Minister of Papua New Guinea?---I think that was his proposal, was that - - -

20 Well, Mr Li was at least interested to know what meetings Mr Maguire had set up for Mr Li, is that right?---No, he just, Mr Li didn't ask details. Mr Li never ask, "Oh, you know, in this country, who are we going to meet?" He just assume everything is arranged. Like, so when we went to Vanuatu, nobody there, and Mr Li did, "How could this happened?" Something like that.

Did Mr Li ask you in advance who Mr Maguire had arranged for Mr Li to see?---He just say to arrange chamber of commerce to see him, that's it.

30 Well, let me try and help you this way. Can we go to intercept 5860, an SMS, 5 February, 2018? And while that's coming up, I tender intercept 4458, 8 December, 2017.

THE COMMISSIONER: That will be Exhibit 342.

**#EXH-342 – TRANSCRIPT AND AUDIO OF INTERCEPTED
TELECOMMUNICATION SESSION 4458 DATED 8 DECEMBER
2017 - EXTRACT**

40

THE WITNESS: So I, I think in those trip - - -

THE COMMISSIONER: Just - - -?---Sorry.

Well, I don't know if you want Ms Wang to continue, Mr Robertson.

MR ROBERTSON: Yes, continue your answer first, Ms Wang. We'll take that off the screen so you can – what were you about to say, Ms Wang?
---Oh, sorry, because I, I remember Mr Li said this to Mr Maguire, so his purpose is going to meet chamber of commerce because his like association commercial, you know, so that's, you know, association to association, government to government, that he's opening.

10 So are you saying Mr Maguire provided some assistance in setting up a meeting with the chamber of commerce in Papua New Guinea? Is that right?---I, I, not, not sure of at that stage, but the, before the first meeting, I think he made very clear is chambers, chamber of commerce to chamber of commerce.

That was one of the sets of people that he wanted to meet in Papua New Guinea, is that right?---That's, that's the, the people he wanted to meet, not government.

20 THE COMMISSIONER: So when - - -?---And because once he realised that Vanuatu was the government, and he said, "I'm not here to see government officials. There's no point. I want to see the chamber of commerce," that was the first meeting. That's the first agreement signed, basically.

MR ROBERTSON: But I think you've agreed that, as you understood it, it would assist Mr Li to have some meetings or some relationship with government in the South Pacific region, because that would help get approval from the Shenzhen Government. Is that right?---The second stage, yes.

30 At the first stage it's most important to be business to business, is that right?
---To identify any, any opportunities, yes.

Identify potential opportunities and potential investment options.---Yes, yes.

But at some point, if it looks like you were looking to invest, there needs to be some relationship with government to help get the approval of the Shenzhen Government to invest in the South Pacific country, is that right?
---Yes, yes, that, that's my understanding. I'm not sure if it's correct.

40 But there's no point in getting the agreement of the government until you've got a project that you might be interested in. Is that the idea?---That's exactly right. Yes.

THE COMMISSIONER: So when you're talking about the April 2017 visit, when you went to Vanuatu, had a meeting been arranged with the government as opposed to a chamber of commerce there, and that Mr Li was unhappy with that?---That's right, yes. Yes. Yes, that, that's, that's he

explained why he doesn't want to with government, he want to be the chamber of commerce. Yeah.

MR ROBERTSON: And that meeting with government in Vanuatu, who organised that?---Nobody organised that.

Oh, that was the one that you said before where Mr Maguire just walks in? ---Yes, we just walked in. Yes. That's the one.

10 I'll put up 5860 on the screen now. This is an SMS. So it's from you to Mr Maguire in advance of the second trip to the Solomon Islands and Papua New Guinea. "Hi Daryl, Mr Li also asks who are we planning to see in PNG? PM?" Do you see that there?---Yep.

So do you agree that around about 5 February, 2018, Mr Li was interested to know whether a meeting had been set up for him to speak to the Prime Minister of Papua New Guinea?---Yeah, I think Mr Li was a bit cautious, maybe, so ask me to confirm it.

20 When you say "a bit cautious", what do you mean by that?---Because he didn't want to do with government at that stage.

Isn't this Mr Li saying to you, "I want to know whether an arrangement has been made to meet with the Prime Minister of Papua New Guinea?"---I think what happened was I, after I spoke with Mr Maguire, I probably told him, Mr Maguire's going to arrange to see PM. And he asked me to confirm it, is really to see PM.

30 And Mr Li wasn't suggesting that he would be unhappy if the meeting with the Prime Minister of Papua New Guinea had been arranged. He was asking you to ask Mr Maguire whether such a meeting had been arranged. Is that right?---Sounds like it, yeah.

Can we go then to 5863. I won't tender that one immediately, Commissioner, because I'll tender two as a bundle.

THE COMMISSIONER: Exhibit 343.

40 **#EXH-343 – TRANSCRIPT OF INTERCEPTED
TELECOMMUNICATION SESSION 5860 - SMS DATED 5
FEBRUARY 2018**

MR ROBERTSON: I'm going to show you what appears to be a response to that message back from Mr Maguire to you, "Anyone he wants to meet." Do you see that there?---Yeah.

And so you understood Mr Maguire to be saying to Mr Li, but through you -
- -?---Yeah.

- - - that if Mr Li wants to meet anyone in particular in Papua New Guinea
or in the Solomon Islands that Mr Li should let Mr Maguire know and
Mr Maguire would make the arrangements. Is that right?---Yes.

Is that a convenient time, Commissioner?

10 THE COMMISSIONER: Just tender that before we - - -

MR ROBERTSON: I tender intercept 5863 and SMS of 5 February, 2018.

THE COMMISSIONER: Very well. That will be Exhibit 344.

**#EXH-344 – TRANSCRIPT OF INTERCEPTED
TELECOMMUNICATION SESSION 5863 - SMS DATED 5
FEBRUARY 2018**

20

THE COMMISSIONER: We'll take a 15-minute adjournment for morning
tea now, Ms Wang.

SHORT ADJOURNMENT

[11.26am]

30 THE COMMISSIONER: Ms Wang, you're bound by the affirmation you
made this morning.---Yes. Thanks, Commissioner.

Thank you.

MR ROBERTSON: Ms Wang, you recall that on the last occasion you
appeared in the public inquiry you and I briefly discussed an attempt that
you and Mr Maguire made to bring certain oil technology to Australia.
---Yes.

40 And I think you agreed that you would share with Mr Maguire any profits
that were made in relation to that matter on a half/half basis. Is that right?
---Yes. That was, was a view to his retirement because he's talking about
retirement at that time. I asked him face to face, in person, I said, "Why do
you want to retire?" And he said he want to do business. He don't want to
wait too late.

At the time that you had the discussion with Mr Maguire about the oil
project it was clear to you from what Mr Maguire was saying that
Mr Maguire was interested in retiring. Is that right?---Yes. Because I asked

him. He said, "I don't want to wait. I'm too tired. Don't have enough energy." So I think is fair enough.

And he was at that point quite interested in being involved in business so that he would have money after he retired from parliament. Is that right?---I think that's the preparations for his retirement.

Preparations so that, if he was to retire, he would have some business interests going forward?---New career, yeah. Yeah.

10

But the arrangement that you had with Mr Maguire to proceed on a half/half basis in relation to the oil project, that wasn't the first time that you agreed to share profits with Mr Maguire. Is that right?---Yeah, half/half, yes.

But that wasn't the first time that you agreed to share profits, the oil project. You had previously agreed with Mr Maguire to share profits in relation to business activities. Is that right?---Yes.

20

The immigration one that we spoke about at some length last time was an example.---He gave to me, yeah.

There was also some property development matters where you agreed to work together and share the profits. Is that right?---Yeah, some of them, yes.

So you and Mr Maguire sought to work together in certain property developments with a view to you both making some profits. Is that right? ---We were talking about some projects, yes, but didn't go anywhere.

30

But you agreed with Mr Maguire that if those projects were successful, you would share the profits associated with them. Is that right?---There's never such agreement but I, I think he will in the view of if making, you know, profit anyone should have a share of it.

There was at least an understanding - - -?---Understanding, yes.

40

- - - between you and Mr Maguire, whether or not it was written down and signed, there was an understanding that if you worked together in relation to property development matters, then you would share the profits. Is that right?---Yes.

THE COMMISSIONER: If any.---If any, yes.

MR ROBERTSON: If any. All right. In relation to the oil project, did you have any discussions with Mr Maguire as to what kind of profits you and he were hoping to make in the event that the oil technology could be brought to Australia?---Yes.

And can you remember what those discussions were, what did you and, as you understood it, Mr Maguire have in mind?---I, I wasn't quite sure how the things will work because it's new technology and that the company been, you know, doing this is, you know, start-up technology company. Is a small company with a few scientists and they haven't given me some good examples, successful examples. They've been doing it in, try it in, in Malaysia for eight years. Didn't go anywhere. So I wasn't quite sure about the thing so, and I forward those brochures to, to Mr Maguire have a look to see if any possible in Australia because I haven't got anybody else to, to talk about or, you know, and he had a look and he think, you know, maybe it works in Australia so - - -

And did you discuss with Mr Maguire how much money that you and he would hope to make out of the project?---Yes, I did, yes.

Can you remember what you discussed with him regarding that matter? ---Yes, I did, because I wasn't quite sure, you know, so I, I just have no concept of, you know, what kind of money he's going to make or what, what's the price of the oil. Because this technology is only for, you know, those existing oil well but there is no production anymore, but using their new technology they can get some residual, you know, oil came out. So it's really not much to come up. I have no idea so I asked him how, you know, how much we should, you know, talk about this. I did ask him. I did consult him for that. Yes, I did.

And what did Mr Maguire say in response to that consultation?---I, I can't remember exactly and, and at the end I took his like, advice, some like 3 per cent or I can't remember exactly what.

And so what, the idea was that if you bring this oil project to Australia and it makes money, it allows you to extract oil, that what, 3 per cent of the value of the oil - - -?---I can't remember.

- - - is the fee for you and Mr Maguire. Something like that?---Yeah, yeah, yeah, something like that.

And would there be some upfront fee as well or would it just be effectively a percentage - - -?---Percentage of, because I think that why, you know, I prefer to do that because that will be, you know, if this works that will be ongoing, you know, you know, it's only one set-up and an ongoing things and also because that will come out, you know, few years so that will be after his retirement so - - -

But in the event that you made some profits before Mr Maguire's retirement, you still would have shared those profits with him. Is that right? ---I wouldn't think before that, because he was very clear he's not going to go next election at that stage.

But if the profits started to flow before he'd retired, then you would have shared it with him before then. You wouldn't have hung onto the profits, I take it?--I haven't gone through that, but probably yes.

There was no agreement - - -?---No.

- - - that you would wait to give him the money?---No.

10 He decided to retire from parliament, but if the money was made before he retired from parliament, you would have shared in the money immediately. Is that right?---Yes, but I wouldn't think so.

Just like you did for example with the immigration project.---Yes.

He was still in parliament and you gave him money associated with that matter. Is that right?---Yes, yes.

10 I'm now going to play you a further telephone intercept. It's 7609, 29 March, 2018. It's quite a long call but there's some important aspects of it, so I'm going to play you the whole call, and one of the things that you're discussing in the call is about this oil project, so I'll play it to you first and then I'll ask you a few questions about it.---Okay, yeah.

AUDIO RECORDING PLAYED

[11.52am]

30 MR ROBERTSON: Ms Wang, am I right in understanding that the idea at least was to bring this oil technology to Australia with a view to charging an oil company first a consultancy fee and secondly something in the nature of a percentage in relation to the oil that's extracted using the project?---Yes.

And I think Mr Maguire's idea at least, is this right as you understood it, that because there was, to use his words, "Big money to be made," a percentage fee of something like 3 percent ongoing might end up being a significant amount of profits for you and Mr Maguire. Is that right?---Yes.

40 And then towards the end of the call you suggested that those profits would be shared on a half/half basis. Is that right?---Yes.

And Mr Maguire said something like, "We'll do what we always do." Do you remember hearing that?---Yeah.

And so do we take it from that, that there was a previous occasion, perhaps more than one previous occasions, where you and Mr Maguire shared profits on a half/half basis?---No, never.

Well, you at least shared profits in relation to immigration scheme that you and I discussed on the last occasions. Is that right?---Yes.

But I don't think that was on a half/half basis in relation to the fee. Is that right?---That's right, then probably I mentioned half/half because it wasn't done before.

10 But why was Mr Maguire saying, as you understand it, that we would do half/half, "Like we always do." There must have been another occasion where you did half/half or something like half/half.---No, my recall, no.

Is it right, though, that you at least had an understanding with Mr Maguire that if you were working together with a view to making profits, you would share those profits in some fair fashion?---Yes.

For the oil project you thought it was fair to do it on a half/half basis because Mr Maguire was helping make contact with oil companies in Australia. Correct?---Yes.

20 But it was fair, you thought, for you to get half because you were going to be involved in the negotiations. Is that right?---Yes.

But is it right that for other projects, things like the immigration, you might not necessarily have shared that on a half/half basis because it might be fair to not do it on a half/half but maybe 75 per cent/25 per cent basis, something like that?---Yes, yes.

30 But there was at least an understanding between you and Mr Maguire that you would share any profits made from your joint business activities together on some kind of fair basis. Is that right?---Yes.

Is it right that one of the areas where you and Mr Maguire sought to make profits that you might share was in relation to property developments? Is that one area that you sought to work together?---Yes.

And was a property in Tennyson Road, Gladesville - - -?---Yes.

40 - - - is that an example of a particular property development project that you sought to work together?---Yes.

And just explain - - -

THE COMMISSIONER: I don't want to divert you, Mr Robertson, but just so we don't lose sight of marking that last TI as an exhibit.

MR ROBERTSON: I'm very grateful, Commissioner. I tender telephone intercept 7609, 29 March, 2018.

THE COMMISSIONER: Exhibit 345.

**#EXH-345 – TRANSCRIPT AND AUDIO OF INTERCEPTED
TELECOMMUNICATION SESSION 7609 DATED 29 MARCH 2018**

MR ROBERTSON: And just before I ask you a bit more about the project
in Gladesville, the oil project, that didn't ultimately end up in any profits.
10 ---No.

Is that right? So there was an attempt to convince Australian oil companies
or at least oil companies working in Australia.---Yes.

And that wasn't ultimately successful. Is that right?---No.

Now, in relation to the Gladesville project you and I just started to discuss,
what was your and Mr Maguire's involvement in that property
development?---This is a quite while ago, you know, from what I, I can
20 recall, that project was introduced by Mr Maguire. There's two agent, one
is woman and one is man. And so I got some property developers from
Beijing came to Australia at that time, not for this project, just, you know,
looking around in Australia at that time. When they have a look and - - -

So do you mean developers or do you mean investors or (not
transcribable)?---Oh, investors, investors from China, but they, they didn't
come in just for that project. They just happened in Sydney at that time.

So just to understand that, are you saying Mr Maguire introduced you to an
30 agent for a particular piece of property - - -?---Gladesville.

- - - with a view to you attempting to find investors for that piece of
property? Do I have that right?---I, I can't recall exactly what it is, but he
introduce these agents to me and this agent - - -

Mr Maguire introduced the agent to you. Is that right?---Yes, and this agent
has got that project.

And so you then made contact with that agent. Is that right?---Yes, I did.
40

And you were attempting to find potential investors for that particular
project. Is that right?---I got investors and they show the person, Australian
investors about that site.

And so they were investors who you identified, Chinese nationals who - - -
?---Yes, my friend.

- - - might be interested in investing in that particular project.---Yes.

Do you remember the name of the agent?---Oh, that woman. Is very long name. I can't remember her name. It's a long name.

Perhaps Joan or Joandarc?---Jo, yeah, yeah, Jo something.

Joandarc?---Yeah, something like that.

J-o-a-n-d-a-r-c.---It's very, very hard to pronounce. Yeah.

10

Now, was Mr Li a possible investor in that property, do you remember?
---Yeah, and I, yeah, I remember more about that and so once I did introduction there's, there's no commission talk whatsoever. I just there, you know, help them basically and, and - - -

But pausing there. Although there might not have been a written agreement or anything - - -?---No, even though - - -

20

- - - you were doing it in the hope that there would be a commission if there was a successful investment. Is that right?---I, I was hoping but there's nothing written and after that they just contact themselves, didn't contact through me.

But is it right that you had an understanding with Mr Maguire that in the event that there was some commission paid for your involvement and Mr Maguire's involvement, you would share that commission with Mr Maguire?---It wasn't clear at that time for that one.

30

There might not have been something in writing but that's at least the way you would have perceived it with Mr Maguire. Is that right?---That could be it because, and after that they contact each other without me knowing it so - - -

Are you referring to the possibility that you might introduce people but they might then work around you so that you don't get the fee. Is that right?---He did for that case, yes.

40

But is it right that if you – I withdraw that. Is it right that if you earned some commission in relation to this introduction, you would share that commission with Mr Maguire?---I wasn't quite sure about that case because they, they worked around me so - - -

But if they didn't work around you - - -?---If they didn't I hope so, yeah.

- - - and there was a commission payable, you had an understanding with Mr Maguire that you would share that commission with him?---I hope so, yeah, yeah.

It might be on a half/half basis if that's fair or it might be on a different basis if a different basis is fair. Is that right?---Yes. Certainly I hope so, yeah, but it didn't happen that one.

And I referred to Mr Li before. Is that Ho Yuen Li or is that a different Li?
---No, different.

A different Li was potentially interested in purchasing the property. Is that right?---Yeah, yeah.

10

Now, other than introducing you to the agent, did Mr Maguire have any other involvement in the proposed property development or perhaps sale of the Gladesville property in Tennyson Road? In other words, did he just introduce you to the agent and then do nothing else or did he remain in communication with you and try and help that property development, can you remember?---I can't remember.

20

So you're not sure whether it was just one thing that he did introduce you to and then step back or whether he did further things?---He did introduce me and then I, that woman was weird so I can't remember exactly but, so he, and she just contact, you know, the, the potential investor herself so those kind of things so just - - -

And when you refer to a Mr Li, it wasn't Ho Yuen Li it was a different Li.
---No, different Li in Beijing.

Can you remember the full name of the Li individual?---It's S-h-i, Shi, yeah.

30

Can you try and spell that for us, sorry?---Shifeng Li, S-h-i-f-e-n-g.

S-h-i-f-e-n-g?---Yeah

THE COMMISSIONER: And was Li spelt L-i or L-e-e?---Yeah, L-i.
Thanks.

40

MR ROBERTSON: Now, so far as you're aware, did the property ultimately sell, or was there any investment ultimately into the property, do you know?---I, I don't think so, and both of them, like, two agents, and they went to Beijing to meet, you know, this my friend. And my friend got really upset. My friend said, "I did not invite them to come to see me. They came to see me, put pressure on me, you know, what's this about?" And my friend got really upset.

THE COMMISSIONER: Your friend in Beijing?---Friend in Beijing.
Because they, they just went there without telling, you know, telling them.
They just want, they went there, just tried to put pressure on them to buy the property, basically, without telling me in advance.

MR ROBERTSON: And so these are the friends that you were seeking to introduce as potential investors in relation to this property, is that right?

---That's right. Yes.

And contacted them directly - - -?---Yes.

- - - rather than contacting through you?---No. And they went there by themselves, without my friend agree to meet them in there.

10 Was there at least a point in time where it looked like this particular property deal would be done? In other words, was there a time at which you thought, it looks like there's likely to be an investment that I've organised, and I'm likely to get some fee?---But my friend got really upset after that Beijing visit. So, I don't think that would go anywhere, because the people don't like them put pressure on them, you know, so, it's - - -

20 But really what I'm asking is, did it get to a point where you thought that maybe not that friend, but perhaps someone else you introduced, was actually interested in investing in this site?---From the feedback I got for that site, so have some potential, some problems.

And what problems did it have, do you know?---I don't know, that, it's the (not transcribable) like mining site kind of thing, so - I don't know.

Was one of the potential problems the ability to get a development application in relation to the land?---Yeah, I think could be, yeah, so, I'm not quite sure, but - - -

30 Do you recall whether Mr Maguire offered to provide any assistance in relation to obtaining a development application in relation to the land?---No, not to my knowledge.

40 Can I try and help you this way, can we go please to volume 23, and we'll go to page 53. So we might actually start at page 32, just so you can get a little bit more of the context. Page 32 of volume 23. Now, we'll start at item 108, so these are telephone messages between Mr Maguire's phone and your phone. So Mr Maguire in 108, "G'day fellow picker, how did you" - it says g-g-i, but presumably it means "go" - "with Glenn? Is Mr Li arriving Monday? Is Joan all organised?" Do you see that there?---Mmm. Yep.

Now, is it consistent with your recollection that in or around the middle of January 2014 there looks like a prospect of Mr Li - this is Shifeng Li - being a potential investor in the site in Gladesville?---Ah hmm. Yes.

And Joan is a short name for Joandarc, the agent who you were referring to before.---Yep. Yes.

Then if we have a look then at 110, this is from you back to Mr Maguire. “Hi Wagga Picker. Not seen Glenn yet. He said he’s coming to Sydney next week again and we’ll meet.” Who’s Glenn?---(No Audible Reply)

Do you remember who Glenn is?---No.

Could it be Glenn Collis, see that name in item 109?---(No Audible Reply)

10 Just on the screen, 109, near the hand, it says “Glenn Collis”?---Oh. I can’t remember him.

But in any event, if you look back at 110, “Mr Li is arriving tomorrow,” see that there?---Yep.

“Joan said she’s organising a meeting. Let you know how I go. Will you be in Sydney next week?” You see all of that?---Yep.

20 So is it right that, at least at this point in time, it looks like Mr Li is interested in investing in the property?---Yes.

And it got fairly close, as you understood it, to a potential investment by Mr Li in the property, is that right?---Yes. Answer, yes.

For quite a significant fee, is that right?---Could be, yeah.

Something like \$42 million, is that right?---Can’t remember exactly, but it’s a big project, yes.

30 Did you have any discussions with the agent, Mr Maguire or anyone else as to what kind of commission you and Mr Maguire might stand to achieve in the event that an investment was successful?---No.

Not at all?---Not at all.

Well, was there any suggestion, for example, of a 1 per cent fee or commission by way of introduction?---No, I can’t, not I could recall.

40 Is this the only property development or purchase-related transaction that you were involved in with Mr Maguire or was there more than one?---I think so.

Only one? Are you sure?---I, I can’t remember.

I mean, you tried a number of different business ideas with Mr Maguire, is that right?---Yeah.

Immigration was one that we’ve talked about at some length, correct? ---Yeah.

The oil project is another one, correct?---Yep.

Surely there must have been more than one example of you attempting, with Mr Maguire, to broker property-related transactions. It wasn't just this one. There was other ones in addition to the Tennyson Road, Gladesville project, is that right?---Yes.

10 And what were the other ones, so far as you can recall?---Can't recall any.

Were any of those other ones successful?---No.

So is it right that there were a number of attempts where you and Mr Maguire sought to broker property-related deals and share commissions associated with those deals, is that right?---Yes. But I, I didn't realise he has interests in properties.

20 Well, you at least realised that Mr Maguire was trying to work with you to procure investments in the Gladesville site.---Yeah, yeah, after. I thought this was a once-off, I think. I can't, I can't think of anything else.

Well, it happened on, it wasn't just a once-off, wasn't it? There was at least a few attempts you made with Mr Maguire to do the kind of thing that you attempted with him in Gladesville, is that right?---A property.

In relation to property.---Yeah.

Do you think that's right?---Yes.

30 Or do you think it's just a once-off? I'm suggesting to you it wasn't just a once-off. It happened more than once.---I can't think of anything else.

But you at least remember the Gladesville one, is that right?---Yeah.

40 And you hoped to obtain some sort of a commission or fee out of your involvement in that matter, and share it with Mr Maguire, is that right?---I wasn't too worried about that one because, you know, one is because introduced by Mr Maguire. The other thing is because I introduce my friend (not transcribable) so, you know, I wasn't too worried about the fees kind of thing.

But you were still hoping or expecting to get an introduction fee of some sort, is that right?---Yes. Absolutely, yes.

And do you recall discussing what percentage or other fee you would receive?---Yeah. But there wasn't any kind of agreement for that.

Again, there might not have been a written agreement.---No.

But was there at least a discussion as to what sort of fee would be achieved?---No. I, I, I, I can't recall.

Does a 1 per cent fee, for example, ring a bell?---Could, could be. Could be but I can't recall.

Can't recall one way or the other?---Yeah.

10 Now, in relation to whether the investment would ultimately proceed, in particular with Mr Li, do you remember whether there was any particular concerns that Mr Li had before he was prepared to invest in this Tennyson Road, Gladesville project?---He was very, very close, to be honest. So that's - - -

He was very close to agreeing, is that right?---Yes, he's very close to agree. So that, and then when he's a bit, you know, hesitated, and Joandarc, with her partner, flew to Beijing without notice me or notice Mr Li. They just went there, tried to put, put the last, you know, push onto Mr Li. And Mr Li
20 was very, very upset and then he said, "I'm off. I'm not going to do this."

And so he was unhappy with that direct communication through to him in China, but were there any other issues at the Australian end that, as you understood it, were causing problems to him being an investor in Australia? ---I, I wasn't aware any major issue. Just suddenly they went there, you know, put pressure on them, so they, he's not happy at all.

Well, was there any question as to obtaining development approvals? Was that some issue that was being raised by Mr Li or that was relevant to this
30 transaction, do you remember?---I wasn't quite sure because I think we went to the architectures office.

To the architect's office, yes.---Yeah, for this project.

So it was quite close to an investment being made, as you understood it. Is that right?---Yes, was quite close, yes.

But what I'm asking is, was there an issue that either Mr Li was concerned about or perhaps Mr Maguire was concerned about, about getting
40 appropriate development applications or other planning approvals in relation to this site?---I can't recall.

Let me try and help you this way. Back to volume 23, we'll now go to page 54. Volume 23, page 54. If you can start at number 348, which is at the top of the page, this is from you to Mr Maguire. The second sentence, "Has it got approved?" And then Mr Maguire comes back on the next day and says, "G'day. If I get Tennyson Road approved will Mr Li be interested?" Do you see that there?---Yes.

Now, does that refresh your memory about – and if you have a look at the next item, item 350, Mr Maguire seems to clarify, “That’s DA-approved.” Development application approved.---Okay, yeah.

Do you see that there?---Yeah.

10 Does that refresh your memory about any issue that was being raised, at least by Mr Maguire, perhaps by Mr Li, regarding getting appropriate approvals?---Yes.

And what issue was being raised concerning that. Do you remember?---It must be Mr Li asked.

And so does that refresh your memory that Mr Li was concerned about appropriate planning approvals for the site that he was looking at investing in?---Yes.

20 And is it right that Mr Maguire, as you understood it, was taking it upon himself to attempt to get a development application through or another planning application through with a view to Mr Li remaining interested in the property sale?---Yes.

30 And so it right that at least in relation to this proposed property transaction in Tennyson Road, Gladesville, Mr Maguire didn’t just refer you to the agent and leave it all to you, he was involved in attempting to make the property deal take place, including offering to assist in getting planning approvals for Mr Li so that Mr Li would invest in the project?---Did it say it’s already approved?

That was the question. We’ll put it back on the screen. Page 54, volume 23. So it looks like you’re asking Mr Maguire, you’re saying - - -?---If, if it’s approved.

- - - “Has it got approved?”---Yeah.

40 See at the very top with a question mark, “Has it got approved?” And then Mr Maguire seems to be saying, “Well, look, if I get it approved will Mr Li be interested?” Do you see that there?---Yeah.

So it looks to me at least, but I might have this wrong, it looks to me like you’re asking whether it’s been approved and Mr Maguire is saying, well, look, it doesn’t look like it’s been approved, but do you think if I, in other words, Mr Maguire can get it approved, then Mr Li, he’s asking you, “Will Mr Li be interested?”---Yeah.

Do you see that there?---Yes.

Is that consistent with your recollection as to what happened?---Yes, yes.

So Mr Li was concerned about appropriate approvals?---Yes.

And Mr Maguire offered to provide assistance in relation to that issue.

---Yes, because is mining site, yeah, understand that, yeah.

And that was in the hope that both you and Mr Maguire would be able to share in some kind of a commission in relation to the sale. Is that right?

10 ---Yeah, I, I don't deny that, but we never talk about that.

It was at least an understanding you had.---Yeah, understanding, yes.

Even though there might not have been something written on the page.

---Yes, yes.

But as I think you've explained, this proposed property deal wasn't ultimately successful. Is that right?---No.

20 And so therefore you didn't receive a fee in relation to it.---No.

And to your knowledge, Mr Maguire didn't receive a fee in relation to it either.---No.

Is that right?---No.

THE COMMISSIONER: Are you going to tender those last - - -

30 MR ROBERTSON: I won't immediately because they form part of a large bundle which I will probably tender during the course of tomorrow.

THE COMMISSIONER: I see. Very well.

MR ROBERTSON: There's some other messages that I'll take Mr Maguire to. Now, Ms Wang, we spoke at some length on the last occasion regarding what I described as the immigration scheme, do you remember that?---Yep.

40 After it became apparent to you that this Commission was investigating Mr Maguire and was investigating the immigration scheme, did you take any steps to speak to any of the businesses in respect of whom you arranged the placement of Chinese nationals and visas for those Chinese nationals?

---Yes, I did.

Who did you speak to?---Sean Duffy, because I was in panic, and I was, I was silly. I thought, you know, as long as I don't mention this, you know, ICAC, this Commission, should be all right. So, which I did. Went to see him.

So doing the best you can in terms of timing, when did you make contact with Mr Sean Duffy?---I think in, after Christmas, in 2019, early 2019. So your best recollection is some time early in last year, is that right?---Yep.

And you, what form of contact did you make with Mr Duffy?---So I just went to see him and said, you know, you know, "I don't want anything to do with this. Just, you know, just keep me out of this kind of thing."

10 Well, let's be a little bit more precise. Did you give any advice or suggestion to Mr Duffy as to what he should say in the event that any investigators make contact?---Yeah, just say, you know, just, I just, you know, it's no, no money, you know, those kind of things, yeah.

Well, I want you to do your best to recall what you said to Mr Duffy about what you said he should do or not do in the event that he was spoken to by any investigators.---I just say, "No, no cash payment kind of thing." I can't remember exactly what.

20 So is it right to say that you were encouraging him not to tell anyone that you had made cash payments to him?---Yes.

And you did that because you were concerned that if Mr Duffy revealed that to investigators, you might be implicated in that matter, is that right?---Yes, I was panic, I was, sorry.

Is it right that you also encouraged Mr Duffy not to mention any of the documents that you had assisted in Mr Duffy signing in relation to the immigration scheme?---No. No, not that documents, no.

30 So it was focused on the question of money rather than documents, is that right?---Yes. Yes.

Can you recall anything else you said to Mr Duffy when you spoke to him regarding this issue?---I can't recall exactly but I, I, I did not say "ICAC". So I - - -

You didn't say the word "ICAC", is that right?---Yes, because I thought if I didn't say that, that should be all right.

40 So you thought that as long as you didn't say the word "ICAC" you could nevertheless speak to Mr Duffy, is that right?---Yep.

It's not what you really thought, though, because you were encouraging Mr Duffy to lie in the event that investigators approached him, is that right?---I was, I was, I, I, I feel panic. I didn't want get involved all of this. I just, I just hoping I can get out of this.

But do you agree that you were encouraging Mr Duffy to lie in the event that investigators made contact with him?---Yes, imply to him.

Sorry, say that again? Implied to him?---Yeah.

Wasn't it a little bit more than implied to him? You, you, in effect, told him, "Don't mention the cash payments that I've made to you."---Yes.

So you wanted him to lie to any investigators, is that right?---Yes.

10

You wanted him to lie to any investigators because you thought it might implicate you, is that right?---Yes.

Now that, did you attend on Mr Duffy personally for that conversation? ---Yes.

Or did you make contact with him in some other way?---In person.

So you travelled to Wagga Wagga to - - -?---Yes.

20

- - - do that, is that right?---Yes.

And in terms of what you were encouraging him to do and not do, was it focused only on the money?---Yes.

Or was there some other matter that you raised with him?---Only money worries me.

30

Well, did you say, for example, that if anyone asked, you never had an agreement with Mr Duffy or any of his companies?---The agreement is about money, so same thing.

So that was part of what you were saying to Mr Duffy?---Yes. Yes.

Basically, you were encouraging him to not tell anyone about the arrangement that you had with Mr Duffy, where you would pay him cash money and he would sign documents saying that he had a Chinese national in his employ. Is that right?---Yes.

40

Was there anyone else that you made similar contact with?---And I, I met Angus McLaren, is it, oh, Angus - - -

Angus McLaren, M-c-L-a-r-e-n?---Yep. Yep. And that was on a personal private matter. And I, I went to see him and I mentioned to him, I said, "It, it's just weird. I received two, you know, emails from you, it's about Steven," which is one of the, you know, the, the Chinese advocate. I said, you know, "So, it's just weird. It looks like from your Dropbox send out automatically." And he said, "Oh, it's ICAC," and I think after he say that,

he said, “Oh, you know, we shouldn’t talk about, we, we shouldn’t talk about this.” And I, I was shocked, because I didn’t realise that he’s being, you know, questioned by ICAC. I had no knowledge of that at all. But we didn’t talk about it, because, you know, he already been questioned or whatever, so there’s no point to, to, to say to him, oh, you know, hide it or, you know, the. I, but I reassure him, “Everything is okay, everything is above the board, you know, that is recent stage, there’s no money change of hand. You know, we, we did the trainings after that, you know, don’t worry about it.” That what I said to him.

10

So is it fair to say you were also encouraging Mr McLaren to lie to investigators as you were encouraging Mr Duffy to lie?---No. No, I didn’t encourage Angus to lie, because I said, you know, “That’s two stages, you know, the first stage is, you know, is visa application, there’s no money involved. So and, so the money is for the training. So don’t worry about it. It’s all good.” That’s, I just reassure him, to make him, you know, feel all right. I didn’t encourage him to lie, no.

20

But it wasn’t a genuine training agreement, you agreed with that a little bit earlier in the public inquiry.---Yes.

But you were trying to make him think that the arrangements that you had with him were legitimate. Is that right?---Yes.

And so you were at least encouraging Mr McLaren to indicate to ICAC or any other investigators that at least he thought that what he was doing was legitimate rather than illegitimate. Is that right?---You can say that.

30

Do you say that as well? Do you accept that that’s - - -?---Yes, I accept it.

- - - a fair characterisation of what you were seeking to procure Mr McLaren to say?---Yes. That, but that was just accident, I just accident, I was there and accidentally he said that, and I was shocked, so I don’t, you know, that just wasn’t planned.

It may be that you didn’t plan to say what you said, but you at least took the opportunity to encourage Mr McLaren to proceed in a way that would be less likely to implicate you. Do you agree?---I just assure him it’s okay.

40

No, but it was a bit more than just assuring him that it was okay. You were seeking to encourage him to tell a particular false story to this Commission in the event that he was asked questions by this Commission. Is that right? ---Yep. Yes.

Now, to try and get a sense of timing – oh, before I do that, Commissioner, I apply for the directions made on 11 October, 2018, 19 August, 2020, and 25 September, 2020, under section 112 of the Independent Commission Against Corruption Act be lifted insofar as they otherwise prohibit the

publication of the fact that Ms Maggie Wang gave evidence on the 11th, the 12th, and the 15th of October, 2018, the 19th and 20th of August, 2020, and the 25th of September, 2020, insofar as they'd otherwise prohibit the publication of any question asked or answer given in this public inquiry.

THE COMMISSIONER: Yes, I make that order.

10 **VARIATION OF SUPPRESSION ORDER: THE DIRECTIONS
MADE ON 11 OCTOBER, 2018, 19 AUGUST, 2020, AND 25
SEPTEMBER, 2020, UNDER SECTION 112 OF THE
INDEPENDENT COMMISSION AGAINST CORRUPTION ACT
ARE LIFTED INsofar AS THEY OTHERWISE PROHIBIT THE
PUBLICATION OF THE FACT THAT MS MAGGIE WANG GAVE
EVIDENCE ON THE 11TH, THE 12TH, AND THE 15TH OF
OCTOBER, 2018, THE 19TH AND 20TH OF AUGUST, 2020, AND THE
25TH OF SEPTEMBER, 2020, INsofar AS THEY OTHERWISE
PROHIBIT THE PUBLICATION OF ANY QUESTION ASKED OR
ANSWER GIVEN IN THIS PUBLIC INQUIRY.**

20

MR ROBERTSON: So Ms Wang, just to get a sense of timing, you participated in a private hearing, a compulsory examination before this Commission towards the end of 2018, October 2018, is that right?---Yes. Yes.

And is it right that having participated in that private hearing you were concerned about the way that this Commission's investigation might implicate you?---Yes.

30

You were asked a number of questions on those three dates about, in particular, what I've described as the immigration scheme.---Yes.

And you gave false evidence about the immigration scheme during the course of those appearances. Is that right?---Yes.

You were concerned at that point in time as to what might happen in the investigation and how it might implicate you. Is that right?---Yes.

40

And that was informing your decision to go and visit Mr Duffy in early of 2019. Is that right?---Yes.

You gave in October of 2018 a series of false answers about your involvement in the immigration scheme. Is that right?---Yes.

And you sought to say to this Commission that it was a legitimate scheme involving legitimate training arrangements. Is that right?---Yes.

And you were concerned though having given that false evidence that other people who were connected with the scheme like Mr Duffy might tell a different story which might implicate you. Is that right?---Yes.

And that's why you attended on Mr Duffy to seek to discourage him from giving evidence that might implicate you. Is that right?---Yes.

10 And you similarly took the opportunity when you saw Mr McLaren regarding another private matter to seek to discourage Mr McLaren from giving evidence that might implicate you. Is that right?---Yes.

Did you make contact with anyone else, any of the other businesses or anyone else with a view to encouraging them to not give evidence that might implicate you?---Gerry McCormick rang me. Said he's, he need provide documents, produce documents to this Commission.

20 So Mr Gerry McCormick made contact with you and said that he's been asked to produce some information or perhaps documents to this Commission?---Yes.

Approximately when did that take place?---Around Christmas that year, that year.

When you say that year, do you mean - - -?---2018.

2018.---Oh, sorry. Yeah, 2018.

Do you mean last year or do you mean the year before?---2018.

30 So the Christmas of the same year where you first appeared before this Commission?---Yes.

40 And Mr McCormick said to you well, I've been asked to produce documents to the Commission, what do I do. Something like that?---No. He said, "Do you have those documents?" I said, "No, I don't have those documents." And I also assure him, you know, everything is okay because I said that person, you know, sent, sold two containers wine for you, organise the trips for you to China to, you know, to promote your wine, set up meetings with, you know, local distributors, you know, all of those, you know, the person work for you. Why you worry about it?" And I also said to him something like (not transcribable) yes I do that. I said, you know, I said, you know, "That's, they, they, you know, they are, you know, ICAC is doing the, you know, public officials. You are not. You know, why worry about it." Those kind of things so - - -

Did you give any advice to Mr McCormick as to what he should say to this Commission in the event that he was asked questions about the immigration

scheme?---No. He, he did not say he's going to speak to this Commission. He just asked for the documents.

Did you give him similar advice to what you gave to Mr Duffy, for example. to encourage him not to mention the money?---No, no. He didn't mention that at all. I said, I said, you know, "That person sold two containers of wine for you, set up meetings for you in China. You know, can you get better, you know, anyone better than that." Something like that. So, you know, you know, that, that's all. You know, they worked for you.
10 You know, you're happy with that. You know, what's wrong with that. Those kind of things.

But did you at least encourage Mr McCormick – I withdraw that. In relation to Mr McCormick you gave him a series of cash payments in relation to the immigration scheme. Is that right?---Yes.

Did you encourage Mr McCormick to not mention those cash payments in the event that he was asked any questions?---No, because he didn't ask and I didn't – because I wasn't been asked, I wasn't asked at all during the private
20 examination so it wasn't in my mind.

So you thought that there was, what, a less likelihood that Mr McCormick would be questioned?---Yes, I didn't think he will be questioned, no, I just thought he's going to produce those documents.

But you must have thought that Mr Duffy was going to be questioned?
---Yes, because I was questioned on that, you know, for Mr Duffy's.

Why did you think Mr Duffy was going to be questioned?---Because there
30 was, you know, serious text messages about Mr Duffy.

So you were shown text messages regarding Mr Duffy during the course of your first compulsory examination. Is that right?---Yes.

And you were concerned that this Commission might go and speak to Mr Duffy within a short period of time. Is that right?---Yes.

And so you then attended on Mr Duffy early in the New Year, being 2019. Is that right?---Yes, yes.
40

But you first attended the compulsory examination in October of 2018.
---Yeah.

Why did you wait until January to do that?---Probably because - - -

Go on.---Because of Gerry McCormick asked me in Christmastime and I thought of, I thought because after, after October I thought, you know, nothing's going to happen and then I received the phone call from Gerry

McCormick and then I thought, oh, this is still going, so I was a bit panic so
- - -

But what I'm trying to understand is, why did you focus on going to speak to Mr Duffy rather than trying to speak to various of the other businesses that were involved in the immigration scheme?---Because there's only Mr Duffy and Eldridge are being asked during that private examination.

10 At that point in time you'd been asked questions about Mr Duffy and Mr Eldridge, but not about a broader class of people.---No.

Is that right? And so did you speak to Mr Eldridge or one of the Eldridges?
---I, I, when I passed the office they're all closed.

So are you saying you attempted to speak to Mr Eldridge with a view to telling Mr Eldridge something similar to what you told Mr Duffy?
---You could say that.

20 Well, do you agree?---Yes.

And so was that on the same trip to Wagga?---Yes.

So you went to Wagga with a view to speaking to both Mr Shaun Duffy and to Mr McLaren. Is that right?---No, Eldridge.

Sorry, Mr Eldridge, I'm so sorry. So you went to Wagga with a view to speak to Mr Duffy and to Mr Eldridge. Is that right?---Yes.

30 Which of the Eldridges were you proposing to speak to?---I don't know. I passed their office, the office is closed.

But were you intending to speak to Mr Alan Eldridge or were you intending to speak to another Eldridge or were you intending to speak to whichever Eldridge was available at the time?---Maybe anyone. Anyway, they're not there.

40 But at least your intention when you went to their offices was to tell someone from the Eldridge Group something along the lines of what you said to Mr Duffy, in other words, that they shouldn't mention the arrangements between you and them. Is that right?---Yes.

And in particular they shouldn't mention the cash payments. Is that right?
---Yes.

Have you spoken to any of the other businesses about or any of the other individuals associated with the businesses the subject of the immigration scheme?---No.

No one at all?---No.

If you were so concerned about what Mr Duffy and Mr Eldridge or one of the Eldridges might say, why weren't you concerned about what the other businesses might say?---Because I wasn't thinking, you know, they are, they will be questioned.

10 So at that point in time at least you didn't think that the others would be questioned, you thought that the focus would be on Mr Duffy and on the Eldridge Group. Is that right?---Yes.

And that was based on your assessment of the questions that were asked at the compulsory examination that you had in October of 2018. Is that right? ---Yes.

You saw Mr Angus McLaren regarding a separate private issue.---Yes.

20 But you took the opportunity to try and convince him that he had nothing to worry about, is that right?---Yes.

But you were at least encouraging Mr McLaren that, in the event that he was asked any questions by investigators, he should not tell the truth about the arrangement that you had between you and him, is that right?---I, I thought he already, he already told the Commission about the whole thing.

Well, why did you think that?---Because he said he's been asked.

30 So did you ask him whether he had been called before this Commission to give evidence?---He already said.

All right. Well, how did that come about? Did you ask him that question? ---No. I asked him, I, I received those two emails. He said that is for ICAC. And I was shocked.

So you're saying that he volunteered to you that he had been asked questions by this Commission, is that right?---Yes.

And you were shocked about that, is that right?---Yes.

40 And so did you take that opportunity to say to Mr McLaren, like you did to Mr Duffy and like you intended to do in relation to the Eldridges, that they should not mention – or not further mention, perhaps – the arrangements between you and Mr McLaren?---No. Because he already been asked. There's no point to say that to him.

So are you saying as at the time that you spoke to Mr McLaren, Mr McLaren indicated to you not only had he been asked to come to this Commission, he'd actually given evidence before the Commission, is that

the idea? He'd already spoken to the Commission.---Yeah, yeah, he already spoken so everything he already told, so there's no point saying to him, you know, not to say it.

So he, in effect, told you, did he, that he had participated in a private hearing before this Commission?---No, he just say for ICAC and he say, no, I can't talk anything else.

10 Doing the best you can, what did Mr McLaren say about – Mr Angus McLaren – say about the ICAC issue?---He just said, "I can't talk."

He must have said more than that. He must have at least said something that led you to understand that he'd been spoken to by ICAC.---Yeah.

And so what did he say concerning that matter. Did he say, "Look, I've been down to, I had to go down to Sydney and I had to go and speak to ICAC," something like that?---No, no.

20 No?---No.

Well, then, how did you understand that he had spoken to ICAC?---I, my understanding is ICAC went, went to see him.

Sorry, say that again.---My understanding was ICAC, oh, sorry, ICAC went to see him.

Wanted to see him?

30 THE COMMISSIONER: Went to see him.

THE WITNESS: Went to see him.

MR ROBERTSON: Went to see him. I see. So your understanding at the time that you had the conversation with Mr McLaren, someone from ICAC had, what, come up to Wagga and had spoken to Mr McLaren, Mr Angus McLaren?---Yeah, that was, I was impression I got.

40 But that's because Mr McLaren told you that, is that right?---No, he didn't, just, he just said, "No, I can't talk." You know, I - - -

But I'm just trying to understand why you thought that Mr McLaren had been, had had a discussion with ICAC.---Because I - - -

What words did he use or what did he say or do - - -?---Because, um - - -

- - - that led you to that view?---Because those emails I got was, like, you know, looks to me he was try to get documents ready for ICAC.

You're talking about Mr McLaren now?---Yeah.

THE COMMISSIONER: You mean he sent you some emails?---The, the email was sent from his Dropbox. Looked like automatically sent out. Wasn't mean he trying to send out to me. It's like, you know somehow receive some emails from his Dropbox kind of thing.

Yes. And those emails, were they from him or from - - -?---From him and from one of the application.

10

And from - - -?---But from one of the application for one of the - - -

The visas?---The visas, yeah. So that's why I asked him, you know, what happened with that.

Why he was asking for the documents? Why Mr - - -?---No, no, I said, "What, why you got those documents? It's years ago." You know, "Why I receive the document now?" So that's why, that's why I asked him.

20

Why you received an email from him?---Yeah, twice.

Twice. In which he was asking for documents in relation to the - - -?---No, no, the email I received from him and, and attached with the document, which was the application for, you know, one of the applicants. And but there's no writing.

Did you think he had sent it to you by mistake?---Yes. And twice.

30

And that he was intending to send it, rather, to ICAC?---I don't know what's the intending sent to whom. I don't know. I just, I just said, "Why, why you sending me those emails?"

And what did he say?---And he said, "ICAC," so, that's how that comes up.

MR ROBERTSON: I see. So he specifically said the word "ICAC" to you? ---Yes.

So you were asking him, "Why are you sending me these documents?" ---Yeah.

40

And his answer is something to do with ICAC. Is that right?---Yeah. Yeah.

And then you tried to ask him some more questions about it, but he said, "I can't talk about it." Is that (not transcribable)?---No, no, I was shocked. And he said, "No, no, we can't talk about this."

But you must have said something to him that led him to say, "No, no, we can't talk about it." You were shocked about what he had to say, you were

shocked that he said ICAC.---Yeah, some, some like that, but we didn't have a really conversation about that.

But you must have at least said, "Well, what's this got to do with ICAC?"
---Yeah, something like that, I can't recall exactly, yeah. But we didn't have much conversation with ICAC, no.

But you agree, I think, that you must have said something to Mr McLaren, something like - - -?---Yeah.

10

- - - "Why are you referring to ICAC? What's happened?" Something like that.---Yeah, something like that, maybe, yeah, something.

And he's come back to you and said, "I can't talk about it."---Yeah. Yeah.

Did Mr McLaren actually tell you whether he had participated in a private hearing before this Commission?---I, I can't really recall that. I can't recall, because I, I was – the impression I got was he was questioned there.

20 Your impression you got was he had been questioned in Wagga, is that right?---Yeah.

And did he tell you that he had been required to attend ICAC, he'd been told he has to speak to ICAC?---I can't, I can't, I can't really recall that, yeah.

He might have, you're just not sure one way or the other, is that right?
---Yeah. Yeah.

30 In relation to Mr McCormick – so we're going back into 2018 – are you saying that Mr McCormick said something like, 'I've been asked by ICAC to produce some documents. Can you please help me out in finding those documents?' Is that the nature of the conversation?---Yes. Yes.

And did you agree to assist Mr McCormick with documents?---No, I said, "I, I don't have those documents," and I, I said, you know, I said, "Don't worry about it," basically.

40 You told him not to worry about it?---Yeah, because I said, you know, I said, you know, "The, the person who did so much work for you, you know, why worry about it?" I said, "You know, they're ICAC. They're only for public officials. You're not. So why worry about it?"

And so you were trying to give him a similar message to what you ultimately gave to Mr Angus McLaren in the next year.---Yeah.

Basically, "Don't worry about it," is what you're encouraging him to say.
---Yeah.

But you're also encouraging Mr McCormick that in the event that ICAC did speak to him, you were trying to encourage him to not tell ICAC about the arrangement that you had with Mr McCormick, is that right?--I, I, I, I didn't mean to encourage him about that. I just, just say those thing, I just say that to him. I don't know if he's going to use it during the hearing or something, I didn't just, you know, I, I didn't think that way. I just say, I just said that way.

10 Well, you were trying to convince Mr McCormick that he should consider the immigration scheme to be a legitimate scheme.---Yes, I did.

Even though you knew that it was not a legitimate scheme. Is that right?
---Yes.

And part of what was in your mind was that in the event that ICAC ultimately spoke to Mr McCormick, like it had spoken to you earlier in the year, you wanted Mr McCormick to not say anything that might implicate you. Is that right?---No. No.

20 Well, why would you bother trying to put Mr McCormick in a comfortable position and say, "There's nothing to worry about, ICAC's about public officials," et cetera?---Because I, I, I didn't think he'll be, he'll be questioned.

But you were concerned, weren't you, at least as at October of 2018, when you participated in your first private hearing, that you might be in trouble in relation to the immigration scheme, correct?---Yes.

30 And you were concerned to ensure, so far as you could, that no-one else would implicate you. Correct?---I, I was concerned about Shaun Duffy and Eldridge at that time, because I think the, mmm, you know, because that's the two person brought up during that private examination and but not Gerry Cormick, oh, Mc - - -

40 But you must have been concerned about Mr McCormick as well, because by the time he makes contact with you, he's basically telling you that ICAC wants some documents from you.---I, I, yeah. I only thought they want documents, yeah, you know I didn't think that he'll be questioned or, or, or maybe he already been questioned.

Well, do you agree that you were at least concerned at the time that Mr McCormick made contact with you that Mr McCormick might form some part of ICAC's investigation? You must have been concerned about that. ---And I, I said, "Don't worry about it because ICAC is, you know, towards those public officials. You are not."

Well, let's deal with it in stages. You were concerned as at the time that Mr McCormick made contact with you that Mr McCormick might be asked

questions by ICAC regarding the immigration scheme. Correct?---I thought it already did.

You thought that ICAC may have already spoken to Mr McCormick?---Yes, that's why they had to get those documents.

10 And you were encouraging Mr McCormick, weren't you, to try not to say anything if he was asked further questions by ICAC? You were encouraging Mr McCormick to not say anything further that might implicate you. Is that right?---No, I didn't indicate that.

So are you saying that in relation to both Mr McCormick and Mr Angus McLaren, you didn't bother trying to encourage them to lie to the Commission because you thought they'd already spoken to the Commission. Is that the idea?---Yes. That's exactly right, yes.

But you did seek to encourage Mr Duffy to lie to the Commission. Is that right?---Yes.

20 And you wanted to try and encourage Mr Eldridge or someone within the Eldridge Group to lie to the Commission and you turned up at their offices with a view to doing exactly that. Is that right?---I didn't go their office. I passed their office. The office is all closed. Nobody there.

Well, you at least attended near their office with a view to encouraging one or more of the people associated with the Eldridge Group to lie to the Commission. Correct?---Yes.

30 That was why you went there.---Yes.

You didn't ultimately do that because when you were near the office you realised that it was closed. Is that right?---Yes.

Did you make any contact with anyone else with a view to encouraging them to lie or give misleading evidence to this Commission?---No.

No one at all?---No.

40 Not any of the other businesses associated with the immigration scheme? ---No, no.

Not any of the applicants associated with the visa scheme?---No, no.

What about Monika Hao, you must have at least had a discussion with her? ---I was in China, briefly mentioned, but I said to her it's all good so, I didn't know this investigation still kept going. I thought it's all finished.

And so when was that discussion with Ms Hao?---It was I was in China.

But when did that happen?---Last year.

Was that recently or sometime ago? Sometime last year in 2019?---Yeah.

And what did you say to Ms Hao regarding this investigation?---I said, you know, you know, “I haven’t heard anything about this. Should be all good.”

10 Did you tell her that you had participated in a private hearing?---No, because, you know, there’s no point tell details.

Surely as part of the discussion with her you said look, there was this investigation on and I had to go down to ICAC and - - -?---No.

- - - I was asked some questions but I think it might all be over and done with now, something like that?---Yeah, I think, you know, it’s all good.

20 THE COMMISSIONER: When you came here to those private examinations, Ms Wang, you were told, the then Commissioner who heard your evidence made an order that you not disclose anything which had taken place in the course of those examinations. Do you recall that?---Yes.

That included the fact that you had been examined.---Yes.

So you've somehow raised that with Mr Hao. What - - -?---No, no, I didn’t. No, I didn’t.

30 Well, how can you tell her something is over which you weren’t supposed to tell her about at all?---No, I said, I mean, you know, this, this whole thing is, you know, it’s over and - - -

But - - -

MR ROBERTSON: No, but how did you know – I’m sorry.

THE COMMISSIONER: No, you go, Mr Robertson.

40 MR ROBERTSON: But how did you know that it had started? You must have known that it had started or you must have said something to Ms Hao about it starting in order to tell her that it’s over.---I don’t know. I just, I just think, you know, it’s going to be all over.

Let me put it directly. You told Ms Hao at some point in time on or after 11 October, 2018 that you had been required to participate in a compulsory examination, a private hearing before this Commission, and that you've been asked questions during the course of that private hearing. Do you agree?
---No. I, I just say, you know, all of those ICAC thing is over.

So do you at least agree - - -?---No, I didn't even mention ICAC thing, I just, you know - - -

Do you at least agree that you told Ms Hao that ICAC was investigating what I've described as the immigration scheme?---(No Audible Reply)

You must have told her that at some point in time?---Yeah, I, I, I can't really recall.

10 Do you agree that you told Ms Hao at some point in time that there was an ICAC investigation and that one of the topics in that investigation was what I've described as the immigration scheme?---Yes. Oh, no, no, no, I just say, you know – yes, maybe, yeah. Sorry, I just, I can't really recall what I said, but I, I, you know, at this particular, I particularly avoid words ICAC, you know, those kind of thing, I just try to avoid it basically.

You at least made it clear to Ms Hao that there was an investigation going on in Australia that touched on what I've described as the immigration scheme. Correct?---Yeah, could be.

20

No, not, "Yeah, could be," the answer's yes, isn't it?---Yeah.

And you told Ms Hao that you had participated in a private hearing in relation to that investigation. Do you agree?---No, I didn't, I didn't say those kind of, I just say, you know, just, you know, just been asked all this kind of thing.

30 Was the only source of information about this Commission's investigation touching on the immigration scheme, the fact that you had participated in a private hearing, is that the only reason that you knew that there was an investigation by this Commission?---Sorry, can you say again?

I'll ask it slightly differently. At the time that you told Ms Hao that this Commission was investigating – I withdraw that. At the time that you told Ms Hao that there was an investigation in Australia that touched on the immigration scheme, how did you know that there was such an investigation on foot?---Sorry, I don't understand your question.

40 How did you know about this Commission's investigation, was it only because you were here in a private hearing in October of 2018 - - -?---Yeah.

- - - or was there some other source of information?---No, that, that's the information, yeah.

So did Ms Hao tell you that she was asked to produce documents in relation to this Commission's investigation?---No.

And so if the only source of information about this investigation was the private hearing, I suggest to you, you must have told Ms Hao that you had participated in a private hearing.---No.

10 Otherwise how does the conversation come up? It's got to be something like, "I think there's some investigation on because I had to come down to ICAC and they asked lots of questions."---No, no, just, you know, I, I, I didn't, I didn't mention that it's ICAC thing, you know, just, you know, because I just, you know, I feel like as long as I don't mentioned ICAC it should be all right, so I've been investigated or, you know, those kind of thing. I just decide I don't mention ICAC, I think it's okay.

And so are you saying that you let Ms Hao know that there was an investigation on foot but you deliberately tried to avoid using the term ICAC?---Yeah.

Because you thought that if you avoided using that term you might get away with disclosing some information - - -?---Yeah.

20 - - - about the investigation. Is that right?---Yeah. So I didn't mentioned ICAC to anyone, I just, I just, I just did not mention it to anyone so I thought, as I don't mention that, should be all right.

And so when you attended for the first private examination, the Commissioner gave a direction that you don't tell anyone about the fact that you had participated in the private hearing and, and directed you to not tell anyone about anything that happened at the private hearing. Do you remember that?---Yes.

30 And are you saying you had regard to that direction but you thought that you would not be breaching it or you might get around breaching that direction as long as you didn't utter the word ICAC. Is that the idea? ---I deliberate avoid word ICAC, yes.

You deliberately avoided the word ICAC because you'd heard what the Commissioner told you about what you were allowed to tell people and you thought you might be able to get around that by not using the word ICAC. Is that right?---Yes.

40 Commissioner, I note the time. I've got about 10 minutes or so remaining. I'm not sure whether there'll be any application for leave to cross-examine. I think it might be convenient to have the luncheon adjournment, but if there's no application to cross-examination and no questions by Mr - - -

THE COMMISSIONER: You could otherwise finish.

MR ROBERTSON: I might otherwise be able to finish. But perhaps you ask but not to hold anyone to it, whether there's likely to be any applications.

THE COMMISSIONER: Well, I just, I think the easiest thing will be – Mr Harrowell, do you intend to ask Ms Wang any questions?

MR HARROWELL: I may have a couple of short questions. I just want to check something, Commissioner. I'd be pretty brief.

10

THE COMMISSIONER: Very well. Mr Pararajasingham, do you intend to ask Ms Wang any questions?

MR PARARAJASINGHAM: No, Commissioner.

THE COMMISSIONER: And I think – there are another couple of faces but I think they may be solicitors. Mr McInerney, do you intend to ask - - -

MR McINERNEY: Unlikely, Commissioner.

20

THE COMMISSIONER: I'm not getting a lot of certainty here. I think everyone wants to consider their position, Mr Robertson, so we might as well take the luncheon adjournment.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Very well. Well, and I have missed anybody out? Is anybody else planning to ask questions, just in case I've been wrong in my attempt to identify faces in the room? I don't think so. Very well, thank you. We'll take the luncheon adjournment, Ms Wang.

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LUNCHEON ADJOURNMENT

[1.06pm]