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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 22 SEPTEMBER, 2020

AT 2.00PM

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

THE COMMISSIONER: Ms Hatton, you are bound by the oath you took when you started in the morning.---Mmm.

MR ROBERTSON: Can we go back, please, to volume 5, page 210, which was the document we were on immediately before lunch? Before I forget, I should tender this document. I tender an email from an email address
10 described as thebutteredcat to Daryl Maguire, 13 June, 2012, volume 5 public inquiry brief, page 210.

THE COMMISSIONER: Will be Exhibit 155.

#EXH-155 – EMAIL ELLIOTT TO MAGUIRE DATED 13 JUNE 2012, FORWARDING AN EMAIL FROM NICOLE HATTON RE 'CHINA TRIP IN JULY'

20

MR ROBERTSON: In fact, I'm sorry, included in that tender should be pages 210 through to 212.

THE COMMISSIONER: That will be included in that exhibit.

MR ROBERTSON: Ms Hatton, if you have a look at 16 July in this itinerary, do you see that one of the things in the itinerary is "Julian – meeting with Du Wei," D-u W-e-y?---Yep.

30 Who's Du Wei?---Du Wei was a businessperson in China - - -

You might need to get a little bit closer to the microphone, I'm sorry. ---Sorry. Sorry.

I'm sorry, I'm trying to get you to both look at the screen and be at the microphone at the same time.---Du Wei was a businessperson in China, and Julian was meeting with him.

40 To do what, as far as you understood it?---I don't know. It was, I was advised that Julian was meeting with Du Wei, and to, so I popped it into the itinerary.

Advised by who?---Assuming it would either be Daryl or Phil.

When you say Phil, you mean Phil Elliott, I take it?---Sorry, Phil Elliott, sorry, Mr Elliott or Mr Maguire.

What if anything did Du Wei have to do with G8way International, do you know?---He was a Chinese businessman, so he probably, he would have helped facilitate deals, I think.

So as you understood it, he was a potential person who might assist G8way International in relation to potential deals, is that right?---Correct.

10 You mentioned Mr Elliott a moment ago. Do I take it that some of the work that you did in relation to G8way International on parliamentary time was done on the instructions of Mr Elliott?---The majority of it would have been from Mr Maguire. If Mr Elliott asked me to do anything it was, from what I recall, it was usually through Mr Maguire.

But from time to time did Mr Elliott directly make requests of you in relation to G8way International activities?---There would have been time to time he would have emailed me directly.

20 And did Mr Maguire make it clear to you that if Mr Elliott gave you a request of that kind that you should comply with it and deal with it on parliamentary time?---Correct.

Do you agree that as well as organising flights for example for Mr Maguire and Mr Elliott you also, on parliamentary time, organised flights for business associates of Mr Maguire?---There would be a couple of occasions where I did some flights for other people, I couldn't recall who they were now.

30 What about Mr Joe Alha? Do you recall ever organising flights for Mr Joe Alha?---I may have organised one trip for Mr Alha to go to China, I think, but I'm not a hundred per cent sure.

Well, let me help you this way. If we go to volume 6, page 201. Do you see there an email from you, using your Parliament House email address, to Mr Maguire, 11 September, 2012?---Yep.

And you see you're forwarding some information to Mr Maguire, but it's saying, "Hi, Joseph," and referring to flights?---Then I did book those flights for him.

40 And if we just turn the page, "Daryl has asked whether you want to pay for the tickets on your credit card and I will issue you with an invoice from Maguire Trading Company." Do you see that there?---Yes, I do.

So do we take it from that – actually I withdraw that. What's the Maguire Trading Company?---I, from, I'm trying to recall but it, it was obviously a company that Daryl had set up previously.

So I take it it's something different from G8way International?---Yes.

And does it follow from that answer that at least one of the things that you did from time to time on parliamentary time were activities relevant to the Maguire Trading Company?---I don't recall, I think this was, I don't recall, but Maguire Trading Company wasn't prominent.

10 It might not have been prominent, but on at least one occasion during parliamentary time you did work for the benefit of Maguire Trading Company. Do you agree?---If I issued the invoice, absolutely, from, from Daryl to Joe.

Are you agreeing with me that on at least one occasion during parliamentary time you did work for the benefit of Maguire Trading Company?---This, as my understanding, was all about G8way, not about Maguire Trading Company.

But I'm asking you a little bit more broadly than that.---Yeah, sorry.

20 I'm drawing your attention to the reference to Maguire Trading Company and it sounds like, at least on this date, you had the ability to issue invoices for Maguire Trading Company, and given that I'm suggesting to you that you must have, on at least one occasion, done some work that benefitted Maguire Trading Company, if only to issue an invoice or two from time to time.---That, there would have been I believe from memory, this was probably like a one-off scenario. I can't honestly remember that far away.

30 But what I'm really drawing your attention to is that it seems from this email, and perhaps I'm misreading it, but it seems from this email that you had the ability to issue invoices from the Maguire Trading Company. Do you agree with that?---I didn't have access to Maguire Trading Company MYOB or his financial records. It would have just probably been a template that would have just been drawn up.

40 And do you agree that this mustn't have been the only time that you had the ability to issue an invoice from Maguire Trading Company because you're communicating to Mr Maguire in effect, I have the capacity to do this, I don't need a template or anything?---No, because Daryl, in here it said Daryl asked if he wanted, Joe wanted to pay for his tickets on his credit card or for me on behalf of Daryl to issue an invoice from Maguire Trading Company.

So are you saying you don't have any recollection of doing any work for the benefit of Maguire Trading Company - - -?---I don't - - -

- - - with the possible exception of sending an invoice associated with this matter?---I don't recall but that may, I don't recall.

And so looking at outside activities more generally, by which I mean anything other than the kinds of parliamentary duties that you and I discussed before lunch, there's G8way International, is there any other categories of outside business work that you did for Mr Maguire whilst on the payroll as an additional temporary staff member for Mr Maguire?---I believe it was, I believe it was G8way.

It was just G8way and nothing else. Is that right?---From what I recall. I really don't remember.

10

Do you recall why it was that you were booking flights for Mr Alha in or about September of 2012?---Joe is a property developer and he was wanting to go over to China to source I think tiles and bathroom things, kitchen things for the units that he was building.

But what did that have to do with you or to do with Mr Maguire?
---Mr Maguire and Joe Alha were very good friends.

20 So as you understood it, Mr Maguire was getting you to assist Mr Alha with flights because they were good friends. Is that right?---Yes.

THE COMMISSIONER: So turning his Parliament House office into a travel agency almost?---I, Mr Maguire asked me to do it and so I did.

30 MR ROBERTSON: But we're really trying to understand why he's using -- is this right, he's using a staff member to which he has access in his office, namely you, to do errands for a friend?---Because Daryl and, Mr Maguire and Joe were friends. Joe Alha was a property developer and he was going to China to source, I don't know what Daryl, Mr Maguire's connection was to Mr Alha's business.

To your knowledge, did Mr Maguire have any financial association or business association with Mr Alha?---I don't know if they had a business association. I do know they were very good friends. I don't know about a business association.

So you at least know that they both travelled to China in connection with bathrooms and matters of that kind?---Yes.

40 Do you know whether Mr Maguire or G8way International stood to gain by way of commissions or anything of that kind in relation to a sale of that kind?---I don't know. I wasn't involved.

THE COMMISSIONER: Did Mr Maguire also go on a trip that you booked for Mr Alha?---He met, yes, Mr Maguire was there with Joe Alha. I think they crossed over for one, two days.

So they encountered each other in China. Is that your understanding?---Yes, they did.

Did Mr Maguire suggest why Mr Alha couldn't go to his own travel agent to get his flights booked?---It's, I - - -

MR ROBERTSON: Can we go please to volume 6, page 251.

10 THE COMMISSIONER: Do you want to tender that last one, Mr Robertson?

MR ROBERTSON: I do. I tender volume 6, page 190 to 191. So which was it? Volume 6, page 201, I apologise, Commissioner, which is an email from Ms Hatton to Mr Maguire 11 September, 2012, 3.14pm which is pages 201 and 202 of volume 6.

THE COMMISSIONER: That will be Exhibit 156.

20 **#EXH-156 – EMAIL HATTON TO MAGUIRE DATED 11 SEPTEMBER 2012 RE FLIGHT TO CHINA FOR JOSEPH ALHA**

MR ROBERTSON: Ms Hatton, just in fairness to you I want to show you another email associated with the last topic that I was discussing, just in case it assists your recollection. You can see there an email from you from your Parliament House email address to joe@jgroup.com.au.---Yeah.

30 13 September, 2012.---Yeah.

Now, does that assist you any further in the context in which you booked the previous flights the subject of the previous email that I showed to you? ---Sorry.

I'll draw your particular attention to the second-last paragraph, which again refers to Maguire Trading.---Yeah. I am taking from this that Joe was paying for Daryl to travel to China in regards to purchasing all of the, as I said, tiles, kitchen, bathroom.

40 But why is an invoice coming from Maguire Trading?---Well, Daryl, Mr Maguire's got another company set up, Maguire Trading, and I'm assuming – I, I, I don't remember from eight years ago but Daryl has asked me to do this.

But are you saying you're not able to assist us as to whether either Mr Maguire or G8way International had some business interest in relation to product that Mr Alha may be seeking to purchase from China?---I don't know about G8way. Daryl was, would have been introducing, Mr Maguire

would have been, been introducing Joe to purchase the products, and I'm only taking from here that Mr Alha was paying for Daryl's flights and Mr Maguire had invoiced him through there Maguire Trading company.

The idea of G8way International, as you understood it at least, was to connect people within Australia with, in particular, people in China, is that right?---Yeah. I, I do, I don't, I don't know why, well I can't recall why Mr Maguire has asked for it to be set up in this formal.

10 Are you at least aware, if not in relation to Mr Alha, then with other individuals, arrangements in which Mr Maguire would seek to connect people in China with people in Australia with a view of making a profit in between in relation to G8way International?---Yes. That would have been Mr Maguire's goal.

That's the whole business model of G8way International as you understood it?---Absolutely. Yeah, yeah, absolutely.

20 Bring people together and making a commission along the way?---Yes.

That was what you were assisting Mr Maguire and Mr Elliott in attempting to set up in a range of different industries, is that right?---Well, I don't know all the industries. I, from this one here, with Mr Alha and Mr Maguire, were very good friends, they had known each other for 20 years. Daryl, Mr Maguire has had the Maguire Trading company set up and Joe Alha is paying for Mr Maguire's tickets. I'm sorry, I can't shed any more light on it, I'm sorry, I don't recall anything else.

30 I think just in fairness to you I should draw your attention to the second paragraph, and you say, "As per a previous email, Daryl will be able to send you an invoice from his company, Maguire Trading." Do you see that there?---That would have been – I'm taking that as the previous email that we were just discussing before.

It seems to be the reference.---Yes.

40 The reason I am drawing it to your particular attention is that the first email seemed to suggest that you would create or send the invoice, whereas this one seems to suggest that it might be Daryl who is doing it directly and I wonder whether that assists your recollection as to whether you were in a position to issue Maguire Trading invoices yourself or not?---No, I didn't, as I stated before, I didn't have access to any of his accounting systems or if he worked on MYOB or whatever accounting program he would have used. I didn't have - - -

THE COMMISSIONER: For Maguire Trading?---Pardon?

For Maguire Trading?---For Maguire Trading, not with G8way. Mr Elliott would have dealt with all of that aspect to it. Like with, they would have just provided me a template or - - -

MR ROBERTSON: And so is it a fair summary of your evidence in this area that whilst Mr Maguire, in the G8way International context, was attempting to set up relationships between Australian businesses and China businesses and making a commission along the way, you're not able to assist us whether that particular model was being adopted in relation to Mr Alha?---I, I'm sorry, I can't, because I really don't know.

This one might have just been a friendship one as it were?---As, as I said, I don't, I don't recall and - - -

But you're aware in other contexts separate from Mr Alha of the kind of business structure that I referred to a moment ago?---Yes, yes.

Do you know whether Mr Maguire had any commercial or business relationship with Mr Alha at all, be it through this scenario or some other scenario?---I, to be honest with you, I don't hundred per cent know nor, or recall. They had been, those conversations I wasn't privy to. As I said, Mr, Mr Alha was a property developer, and so - - -

Were you aware, for example, of whether Mr Maguire sought to identify projects for the benefit of Mr Alha's company, and possibly in exchange for a commission or some other payment?---I don't recall. That may be the case, but I don't recall.

What about other property developers? Are you aware of whether Mr Maguire sought to broker deals with, or in conjunction with other property developers other than Mr Alha?---He, he had – again, I wasn't involved in, I wasn't privy to the – but I know he did have meetings with Country Garden. But other property developers, I couldn't tell you.

Was that meeting, or the meeting to which you're presently referring, one that you organised?---Oh, I probably would have sent a couple of emails regarding it.

So you're at least aware, is this right, that Mr Maguire was attempting to have some kind of business relationship with Country Garden, although the detail of it you didn't necessarily know, is that right?
---Absolutely. Absolutely.

But in relation to Mr Alha, you're not able to assist one way or the other, it may have just been a friendship relationship?---Correct.

Did Mr Alha have anything to do with G8way International, as you understood it?---No, not (not transcribable)

Do you recall in October of 2012 seeking to set up a dinner at which you would attend, Mr Elliott as director of G8way International would attend, and Mr Maguire would attend?---Oh. Maybe.

Let me try and help you this way, and I appreciate I'm asking you about something some number of years ago.---Yeah.

Go to volume 7, page 84, please.

10

THE COMMISSIONER: While that's happening, Mr Robertson, do you want to tender that last?

MR ROBERTSON: I do. I tender volume 6, page 251, email from Ms Hatton to joe@jgroup.com.au, 13 September, 2012, 3.48pm.

THE COMMISSIONER: This will be Exhibit 157.

20

#EXH-157 – EMAIL HATTON TO 'JOE' DATED 13 SEP 2012 RE FLIGHTS TO CHINA

MR ROBERTSON: Do you see there, Ms Hatton, an email from you to Mr Alha, 16 October, 2012? Do you see that there?---Yep. Yes, I do.

Does that refresh your memory of seeking to arrange a dinner between the individuals there identified?---I've, I don't recall it, but it's, obviously that was the, the email. I don't recall the dinner.

30

You don't recall one way or the other arranging something of that kind? ---No, no, I'm, I don't recall it, but I can see that obviously I've sent the email. But I don't recall the dinner, to be honest with you.

I tender the email on the screen, an email from Ms Hatton to josephalha@jgroup.com.au, 16 October, 2012.

THE COMMISSIONER: That'll be Exhibit 158.

40

#EXH-158 – EMAIL HATTON TO G8WAY CONSULTANCY DATED 19 OCT 2012 ATTACHING SCANNED G8WAY INTERNATIONAL STATEMENT

MR ROBERTSON: And back to the categories, as it were, of assistance that you provided to G8way International, is another example registering G8way International on government tender websites?---Yep.

Is another example organising functions for G8way International?---Yes.

Including functions in Parliament House?---No, I never organised – I, as far as I'm aware, I never organised a function in Parliament House for G8way.

Did you ever, were you ever involved in organising any functions in Parliament House at all?---Yes.

10 Did that include functions for the Asia Pacific Friendship Group?---They were all, they were all for, usually for the Asia Pacific Friendship Group.

What about any functions associated with the Wuai project that you and I discussed this morning? At least before lunch.---At parliament, or - - -

Well, at parliament or anywhere.---Not that I can recall.

I'll come back to that in a little while, but before we do that, just to close off the kind of things you assisted with, is one example for G8way International
20 liaising with consulates, with a view to obtaining details of organisations that G8way International might approach?---Can you explain that question, because - - -

Mr Maguire, while you worked for him, was the chair of the Asia Pacific Parliamentary Friendship Group.---Yeah.

Is that right?---Yes.

30 In that capacity he had access to consulates, including those who work in it, such as consuls general?---Ah hmm.

Is one of the things that you did for the benefit of G8way International making contact with consuls or consuls general with a view to identifying businesses that G8way International might seek to approach?---Not for G8way. We had with Asia Pacific Friendship Group a contact list of all the consul generals and all the contacts which all of the members of the friendship group had access to, and that was, I did it, as part of my parliamentary role it was for me to update that list.

40 But really what I'm asking, did you ever have an occasion where you sought to access that list and make contact with consuls or consuls general with a view to providing that information or obtaining information from those individuals and using that information for the benefit of G8way International?---Not that I can recall.

Can I try and assist this way. If we go to volume 5, page 147, please. You'll see there an email to you from the Consulate General, The People's Republic of China in Sydney, 23 May, 2012.---Ah hmm.

Do you see there you're asking Mr Wang for a list of organisations dealing in trade and investments, do you see that there?---I do.

And did that request have anything to do with G8way International or was it not anything to do with G8way International, as you recall it?---My, I don't even recall this email at all but it was in regard, I, I don't recall, but I've sent it from my parliamentary in regards to Asia Pacific Friendship Group, Daryl may have asked for me to send it for, away for G8way but I, I don't recall, I'm sorry.

Well, let me ask you this way. Were you ever asked by Mr Maguire to use the resources available to him as chair of the Asia Pacific Friendship Group to obtain information for the benefit of G8way International?---I, I don't recall. He may have but I don't recall.

You referred in response to one of your previous answers to the fact that you had sent this email from your Parliament House email address. I take it that you accept that on a number of occasions you used your Parliament House email address for G8way International business. Is that right?---It may have happened on occasion but the majority of my parliamentary emails would have been I think, but yes, that could be certainly the case.

But at least on many occasions you used your Parliament House email address for G8way International business. Do you agree?---There, yeah, there were certainly occasions, yes.

You would also use parliamentary resources such as computers, scanners, things like that, for G8way International business. Is that right?---A computer, yes, to access emails and - - -

Parliament House scanners, you'd scan documents, that kind of thing? ---Rarely would we scan documents, but yes, on occasion.

I tender the document on the screen, an email from Mr Wang of the Consulate General, People's Republic of China in Sydney, to Ms Hatton, 23 May, 2012, 2.02pm.

THE COMMISSIONER: That will be Exhibit 159.

#EXH-159 – EMAIL WANG HAO TO HATTON DATED 23 MAY 2012 RE AUSTRALIA-CHINESE ORGANISATION

MR ROBERTSON: Go, please, to volume 6, page 191. And you also had a G8way International email address as well. Is that right?---Yes, it is.

And that was nicole@g8wayinternational.com.au? Is that - - -?---I would assume so.

Volume 6, page 191 which is the second page of an email chain. Here's an email from you to a Mr Spellson, S-p-e-l-l-s-o-n.---Ah hmm.

And you start by saying, "I'm writing to you on behalf of the New South Wales Government Whip", et cetera. Do you see that there?---Yes, I do.

10 And you're asking for information about sourcing Australian cotton. Do you see that there?---Yes, I do.

Do you have any recollection of seeking information about Australian cotton from Mr Spellson?---I'm sorry, I don't.

Do you recall whether that request had anything to do with G8way International?---I, I don't, I don't even recall the email but I, I don't know if it did but if it was to G8way I wouldn't be asking for him to send information to Daryl's parliamentary address.

20

Are you sure about that? Wasn't it - - -?---I don't know. That's what I'm saying. I don't, I don't remember.

I think you've accepted that on at least some occasions you used your Parliament House email address for G8way purposes.---Oh, absolutely. No, what I was referring to that making this request on behalf of Daryl and G8way, that asking for the information to be sent, to be sent to his parliamentary address. That's all that I was referring to.

30 But we can't infer from that, can we, that this request had nothing to do with G8way International, can we?---That's correct.

And let's just go back a page just to try and assist you here. The start of the email chain. Just have a look at the very top of the page. Ultimately that email chain gets sent from your Parliament House email address to the g8wayconsultancy@gmail.com email address. Do you see that there at the very top of the page?---Yeah.

40 That g8wayconsultancy@gmail.com was an email address that you had access to. Is that right?---I had access to it but I believe that Mr Elliott and Mr Maguire utilised most of it.

As you understood it, you're one of a number of people who had access to that email address. Is that right?---So I could send the email, yes.

But why are you sending this chain to g8wayconsultancy@gmail.com noting that it started as a request ostensibly on behalf of the New South

Wales Government Whip from your Parliament House website?---I, I don't recall. I don't recall any of these emails.

Are you able to identify any reason why the Commission wouldn't infer that the request that you were making to Mr Spellson was a request to obtain information ultimately for the benefit of G8way International?---That, that's probably the case.

10 I tender the email on the screen, Ms Hatton to g8consultancy@gmail.com, 5 September 2012, 11.25am, volume 6, page 190 to 191 of the public inquiry brief.

THE COMMISSIONER: That will be Exhibit 160.

**#EXH-160 – EMAIL HATTON TO G8WAY CONSULTANCY
DATED 5 SEP 2012 RE CHINESE BUSINESS DELEGATION AND
AUSTRALIAN COTTON**

20

MR ROBERTSON: Was another thing that you did on behalf of G8way International send proposals to potential business partners?---Yes, I did.

And would you be responsible for drafting those proposals or - - -?---No.

- - - would it be someone else who was responsible?---It would be somebody else.

30 Can we go, please, to volume 7, page 219. So here on this cover page we've got scanner coming to your Parliament House email address. Do you see that there?---Yeah.

So I take it that's how it works in parliament, you've got a scanner. It effectively emails it to a email address of your choosing. Is that how it works?---It must have been a document that was maybe, maybe the document was handed to me so, and then it would need to be scanned.

40 And we can infer from this, can't we, that it was you who scanned the document that I'm about to show you - - -?---Yes.

- - - because you're sending it to your own Parliament House email address?---Yes.

And can we turn to the next page please. Do you see there "export to China proposal"?---Ah hmm.

It says to D. Wei but I take it that's supposed to be a reference to Du Wei? ---Yes, I'm assuming so.

Now, the text of this document, do you know whether you drafted it?---No, I wouldn't have. That would have been Phil Elliott or Daryl Maguire and I would have sent it with my name on it.

Why would have you sent it - - -?---Because - - -

- - - with your name on it if someone else drafted it?---Because Mr Maguire asked me to.

10

Did he explain why he asked you to?---Because he didn't want his name connected to it.

And did he say that in terms to you or is that an inference that you have drawn from other information?---I don't know if he ever used those exact words to me, but I'm certainly making that assumption.

20

So you're at least saying that Mr Maguire made it clear to you, one way or another, that his name couldn't be directly associated with G8way International?---Correct.

Did he explain why that was so?---Because he was still a member of parliament.

Is that something he explained to you or is an inference that you're inferring?---I am drawing my own conclusion. I don't recall those exact conversations.

30

But it was at least clear to you, as his employee, firstly that G8way International was an organisation in which he stood to earn a financial interest if he was successful, correct?---Correct.

But one in respect of which he didn't want to be formally associated while he was a member of parliament, is that right?---Correct.

I tender the document that appears on the screen, starting as a scanner to Ms Hatton, 20 November, 2012, 2.02pm, volume 7, page 219 through to 220.

40

THE COMMISSIONER: That will be Exhibit 161.

**#EXH-161 – SCANNED DOCUMENT TO NICOLE HATTON
DATED 20 NOV 2012 - 'EXPORT TO CHINA PROPOSAL'**

MR ROBERTSON: Just in fairness to you, Ms Hatton, I should show you page 203 of volume 7, which seems, at least to my eye, to be consistent with what you have explained a moment ago. Do you see there, subject heading

“Export to China proposal,” email from Mr Maguire to you, 15 November. 2012?---Ah hmm.

And if we then turn the page, we then have text which seems to be similar text to what we saw on the version that was ultimately scanned.---Ah hmm. So I am taking that as, yeah, I printed that off from Daryl emailing it to me.

10 Except if we just scan down a little but further, someone, perhaps Mr Maguire seems to have the discourtesy of not spelling your name correctly. ---I wouldn't spell my own name incorrectly.

THE COMMISSIONER: No, we know that. There's a glass there, I think you - - ?---Oh, yes. Thank you.

MR ROBERTSON: So do you have a specific recollection of this particular proposal?---Not a specific recollection of it but I certainly - - -

20 But you at least have a general recollection of Mr Maguire asking you to put your name on documents that he prepared, is that right?---Yes.

I tender the email entitled, “Export to China proposal,” Mr Maguire to Ms Hatton, 15 November, 2012, 11.14am , volume 7, page 203 to 204.

THE COMMISSIONER: That will be Exhibit 162.

**#EXH-162 – EMAIL MAGUIRE TO HATTON DATED 15 NOV 2012
RE EXPORT TO CHINA PROPOSAL**

30 MR ROBERTSON: Another thing you did on behalf of G8way International was to send quotes from time to time?---Correct.

Another thing you did from time to time was proffer ideas as to how G8way International might make some money, do you agree?---Maybe. I'm not that business minded but I can certainly, if there was a discussion.

40 But really what I am suggesting is, you weren't just a mere admin assistant in relation to G8way International. You did quite a number of different tasks and you were contributing to the business, albeit on parliamentary time. Wouldn't you agree with that?---I was, I was supporting Daryl in an admin way but no I don't feel like I was part of the company as such. I mean, it was - - -

But really what I'm suggesting is it was more than merely doing what might be described as secretarial-type tasks. You were performing a higher role in all the areas that we've identified but also at least contributing some ideas to the business.---Of the, all of those roles there, to me, are very such so

administrative, administrative, admin tasks. I do them in my roles, admin roles.

Well, let me give you an example. Go to volume 7, page 196. So do you see there an email from you to Mr Elliott?---Yep.

And you're referring to discovering a website the other day, "similar to what we are thinking of", do you see that there?---Yeah, I'm just reading it, sorry.

10 Well, perhaps just read that email to yourself, and let me know when you've done so.---Yeah, yeah, yeah. Yep, I've read it.

So I take it the "we" that's being referred to in the first line is G8way International, is that right?---Yes.

And so I take it, then, that you had some discussions with Mr Elliott as to potential things that G8way International might do?---I, I was, as I said, I assisted them in administrative – I say "we" in the organisation I work for now, as a "we" - - -

20

But what I'm drawing your attention to is referring to something that "we," in the organisational sense, "are thinking of."---Yep, yep.

So you must have had some idea as to the kinds of things that G8way International were thinking of?---I, absolutely I know what they were thinking of.

30

And you were making a contribution to that by saying, "Look at Easybook, we might be able to do something like this," is that right?---If you consider it a contribution, absolutely.

Well, how would you regard it otherwise than attempting to contribute to something that "we," G8way International, "is thinking of"?---That obviously I've seen this, and I've told Phil about it.

By way of a contribution to something that the company might do. Is that right?---In what G8way - - -

40

G8way International.--- - - - could look at doing, yes.

I tender the document on the screen, Ms Hatton to Mr Elliott, 13 November, 2012, 10.04am.

THE COMMISSIONER: Will be Exhibit 163.

**#EXH-163 – EMAIL HATTON TO ELLIOTT DATED 13 NOV 2012
RE YIWU WEBSITE**

MR ROBERTSON: Did you also have any involvement in sending invoices on behalf of G8way International?---Yes, I would have.

Sorry, you may have answered this, did you have any involvement in arranging functions at Parliament House for G8way International?---No, I didn't organise any functions that I'm aware of for G8way International at Parliament House.

10

But you have organised functions on Mr Maguire's instructions at Parliament House from time to time?---Yes.

Were they ordinarily parliamentary friendship group functions, or were they a broader possible set?---Ordinarily, usually parliamentary friendship group. There were some other (not transcribable) he did a fundraising function for when he was planning on contesting his seat. There were numerous functions that were set up.

20

Do you recall roughly how many functions of that kind you may have organised?---With parliament, Asia - - -

In Parliament House. In Parliament House, be they Asia Pacific or otherwise.---Yeah, yeah, yeah. Maybe.

Do we take that exhalation as meaning many?---No, no, no, I'm trying to narrow it down for a number for you to, I don't know, maybe 20, I mean, 20, 30 - - -

30

And on at least one occasion, did that involve a luncheon?---Oh, yes, there would have been luncheon.

On at least one occasion, did that involve - - -?---Yep.

Did an event at Parliament House involve a luncheon in relation to a delegation from China?---There would have been. There was, there were delegations from China that came through Parliament House quite regularly.

40

Including ones where Mr Maguire would put on a function for them that you would organise?---Probably.

You don't have the specific recollection, but you expect that it would have happened in the ordinary course of your duties?---Absolutely. Absolutely.

And can you just assist us in explaining in general terms how a function of that kind is organised? I take it first of all you need to book a room, a function space?---A room. Yep.

That's something I take it that's only available to members of parliament to do?---Correct.

As a general proposition, and not the general public.---Absolutely.

At least in relation to every room in Parliament House.---Ah hmm.

Presumably one needs to organise the catering arrangement as well.
---Correct.

10

And in terms of the billing and paying for the catering, and potentially the room, how does that work, from the perspective of a member of parliament?---It would be billed, it would be billed to the member.

And is that the case, even if it's a function for a particular organisation?---If it's an external, I would, members can book a meeting, like a function room on behalf of an organisation or, and then parliamentary catering would, in many occasions I believe, would also bill the organisation if that was the case.

20

So in a scenario of that kind where the member might be formally hosting a function but for the benefit of a particular organisation, is your understanding the procedure that the member of parliament can say, please bill person X - - -?---To bill - - -

- - - rather than billing me directly?---Yes, as far as I'm aware, that's what's doable.

30

And you had that experience from time to time in relation to events that you organised. Is that right?---I may, I may have, I honestly don't recall that well. Probably.

Do you recall what the arrangements were in terms of payment for functions of that kind whilst you were working for Mr Maguire? In other words, does it have to be paid in advance, is it put on an account for the benefit of the member of parliament or how does that work?---No, it doesn't need to, as far as I'm aware, it didn't need to be paid in advance, it would be billed, that if it went onto Mr Maguire's account or you can actually pay, like Parliamentary Services also accept credit card payments.

40

So are you saying that, as you understood it, it would ordinarily, what, be billed to an account and get paid later or it would need to be paid in advance?---Well, it can be billed, if it's being billed to the member's account it doesn't, they have an account set up and they can pay their bills, they're meant to pay their bill by the due date, like with any - - -

Which will be after the event, but it might be 30 days from end of month or something like that?---Which is after, yeah, it's not usually that far out, but yeah.

So it wasn't a general requirement that it be paid in advance for example. ---Not that I'm aware of, no.

10 Go, please, to volume 13A, page 8. While that's getting ready and just before it comes up on the screen, we spoke about the, what I'll describe as the Wuai trip back in July of 2012.---Ah hmm.

Do you recall whether there was a return visit in which a Wuai delegation came to Sydney?---I don't recall but it wouldn't be, it wouldn't be unlikely but I don't remember. Humphrey and Lydia came to Australia regularly, I think Lydia lived in Australia and Humphrey lived between the two, but I don't recall whether the delegation and if they went to Wagga I, I wouldn't have seen them.

20 I'll try and help you this way. Let's go to volume 13A, page 24. So the one I identified before. Does that room setup ring a bell?---That was for, I'm pretty sure, oh - - -

THE COMMISSIONER: Read the blue signs if you want to, Ms Hatton. ---Yeah, no, no, I'm just trying to remember. So that was the trade centre that we've been referring to, that - - -

MR ROBERTSON: Just to help you - - -?---That is in Parliament House.

30 Yes.---I know that's (not transcribable). This is in Parliament House. I couldn't tell you when it was, and it would have been like a memorandum of understanding signature between Wagga Wagga City Council and the trade centre or the organisers of the trade centre.

And just to help you, you might not be able to see it clearly - - -?---No.

40 - - - because the text isn't clear, but it says, towards the middle of that sign, "The signing ceremony of Australia Wuai International Trade Centre." ---Yeah, I wouldn't be surprised if it was a memorandum of understanding. It's, I'm just explaining, because that's the way so many of them went down that path.

That's a common in effect cultural practice in dealing with Chinese, having a signing ceremony.---Correct.

Often a signing ceremony of a memorandum of understanding or some similar document.---Yes.

What involvement, if anything, did you have in the organisation of that signing ceremony or anything associated with the signing ceremony?---I do not recall. I most likely booked the room, like the, the room.

In terms of getting the room set up rather than simply booked, is that something that would be dealt with by the member's office themselves or by - - -?---Parliamentary, no, Parliamentary Services.

10 By Parliamentary Services. So you don't have any recollection of, for example, having to organise the sign that we can see, the blue sign?---No. I would have remembered organising that sign, I'm sure but I don't recall that at all.

At least as a matter of practice, as you understood it, who would be responsible for doing matters of that kind, organising signs, and you can see flowers on the table and things of that kind?---That, that, I would have thought would have been between the (not transcribable) and Wagga Wagga City Council.

20 So not necessarily something done by the member's office or by anyone associated directly with Parliamentary Services?---Not that I would know, because this was a Wagga Wagga City Council, which I had nothing to do with City Council. I don't know who has produced that.

So other than potentially booking the room, do you have any recollection of having any other involvement in relation to this signing ceremony or anything else associated with the signing ceremony?---I really don't remember.

30 Let me try and help you this way, then. Let's go to page 8 of volume 13A. It's an email from Mr Elliott to you, 27 November, 2012, "Can you have a peek at this and give me your thoughts or maybe run it past Daryl." And I'll just take you to the next page so you can see what you've been asked to take a peek at. So do you see there, there seems to be a draft of a tax invoice for, amongst other things, introduction, interpreter services. Do you see that there?---I do.

40 Do you recall receiving this email before with a draft tax invoice for introduction and interpreter services?---That, I don't recall seeing this particular invoice for this particular event but these were, these invoices were drawn up.

These particular ones for this event or are you saying it was a not uncommon practice to issue invoices in relation to - - -?---I have seen these types of invoices before, sent from G8way, like from Mr Elliott.

What do you understand by the term introduction services?---Introduction and – well, to me it would be the introducing of two organisations together

and then obviously the interpretation services where the majority of Chinese would come out who didn't speak any English so there would need to be an interpreter.

10 So, what, when we say introduction, introduction of a perhaps Chinese end, have a look, Secretary of the Liaoning Province, PRC, and introducing them to the Sydney end or the Australian end. Is that the idea?---Yes. I, I – yes. But this is, but the Liaoning Province, PRC to me looks like, like a government or a, I, I don't, I don't know if that's a private company or of it's - - -

Well you would understand PRC to be referring to the People's Representative Republic of China?---Republic, People's Republic of China. That's, so I don't know whether – delegations would come in and they would need to have interpreter services.

20 What would G8way International have to do with introduction or interpreter services to a government entity like the – or a person associated with government, such as the Secretary of Liaoning Province in the People's Republic of China?---I am assuming that Daryl and Phil were making the introductions.

So as you understood it, Daryl and Phil were introducing this individual, or perhaps a delegation more generally - - -?---A delegation.

- - - to what, to Australian officials, is that the idea?---I would think so. Well, it seemed to be Wagga Wagga City Council but they had been in, they had been in talks for a long time.

30 THE COMMISSIONER: So they didn't need an introduction. Is that what you mean? They knew each other.---I, before I started to work for Mr Maguire, the markets and the whole thing had been going on for, from my understanding, a couple of years prior to this.

So is this introducing somebody - - -?---I, I don't - - -

- - - to somebody else other than - - -?---I don't know who this is introducing.

40 From your understanding of the relationship and the development of this proposal, at least G8way and the Chinese delegation were well known to each other?---It depends. I don't know about this particular Chinese delegation. There were so many Chinese delegations that came through. So many.

MR ROBERTSON: But this was a particular, special one, wasn't it, in that it seems to be associated with the Wuai Centre in respect of which you and

Mr Maguire and others had attended China only a few months before?
---Yes.

But are you saying you still don't have a specific recollection of this particular event and this particular invoice?---Of, of, of this particular event I do not.

10 Do you recall whether you ran this past Daryl, as Mr Elliott suggested you might?---Absolutely. This would, I think Mr Elliott said he would run that past Daryl.

If we just go back a page just so you can refresh your memory as to what the email said.---Oh, for me to run it past.

“Can you have a peek at this or maybe run it past Daryl.”---I, I, I would have given it to Daryl then.

20 Would have you ever issued an invoice on G8way International letterhead without having it signed off by Mr Maguire?---No. Everything would have to go through Phil or, Phil Elliott or Mr Maguire.

So not necessarily Mr Maguire in every case but either Mr Maguire or Mr Elliott. Is that right?---That's who, that's who the invoices would have to be, like they would have to have seen it or discussed it.

30 So if we go to page 16 in the same volume 13A. You see you respond to Mr Elliott, “Hi. Looks great” with a couple of emails in between that I'll show you in a moment, but does that ring a bell in relation to this particular invoice?---I'm sorry, it doesn't. I don't have a memory from eight years ago in regards to it.

And can we go then, please, to page 10 in the same volume. It's an email from Mr Elliott to you at your G8way International email address and to various others.---Ah hmm.

“Attached is a tax invoice template to be used for the event on Friday.” Do you see that there?---Ah hmm.

40 Have a look about the middle of the email, “All that will need to be done is roll the invoice numbers with each client 01, 02, et cetera.” Do you see that there just about the middle of the email?---Yes, I do.

It looks like this is the first invoice that was ever issued by G8way International. Is that consistent with your recollection, appreciating I'm asking you about something that happened many years ago?---I, I, I appreciate what you're asking me. I really have no recall whatsoever.

Let's have a look at the template itself which is not in volume 13A. It's a separate exhibit number from yesterday. I think it's Exhibit 132 but we'll just check that. Do you see there up on the screen what appears to be a template invoice for 30 November, 2012?---Yes.

Now, in relation to the figures that we can see, the \$5,000 plus GST, did you ever have any involvement in coming up with the figure that might be charged or was that in someone else's area of responsibility?---I don't think I would have come up with the figure of 5,000.

10

Do you have any recollection as to who came up with that figure of 5,000? ---I'm going to make the assumption either Daryl Maguire or Phil Elliott.

Working out a fee for something isn't the kind of thing that fell within your area of responsibility, is that fair?---Not that I'm aware of. They may have asked me for my opinion a couple of times, but I don't recall - - -

20

I think you said before, and I may have misunderstood this, but I think you said before it was not unusual for G8way International to issue an invoice of the kind that we can see on the screen, do I have that right?---I don't, I said it wouldn't be, it wouldn't surprise me. I don't recall how many of these were issued.

Well, do you have a recollection that, on more than one occasion, G8way International issued a tax invoice charging a fee for "introductory service" or something like "introductory service"?---That may, that may be the case.

30

THE COMMISSIONER: Do you know to be the case?---I, I don't know 100 per cent that that is the case.

MR ROBERTSON: Well, what do you mean by that? Do you think you've got a recollection of it, or are you speculating as to the - - -?---No, I'm saying, I'm speculating.

And you're speculating because it's consistent with the structure of G8way International, as you understood it, to introduce people and to charge a fee? ---Correct. Correct.

40

But you don't have a specific recollection, sitting there, of seeing more than one invoice of the kind that we can see on the screen, is that a fair summary of your evidence?---That's, that's a fair summary.

Is it still the case that, I've now shown you a few documents, you don't have a specific recollection of being involved in the invoicing in relation to an event that apparently happened on 30 November, 2012?---Yep, I, I would have sent this invoice out.

Let's go to page 13, volume 13A, which is now Exhibit 125. You to Mr Elliott, from your Parliament House email address, and if we can go to the next page.---Ah hmm.

We see what appears to be a final version of this invoice, addressed now to Lydia Zhang. Do you see that there?---Yep.

And that's the Lydia you were referring to before?---That's the Lydia who I was, been referring to.

10

And so just explain to us what Lydia's role was as you understood it?
---Lydia was, she was like a conduit from Daryl to Chinese businesses.

But what would have Lydia have to do with a meeting with the Secretary of Liaoning Province?---Lydia would have been – I'm only, I'm assuming. I'm trying to go back in my memory. She would have, she would have helped facilitate the meeting.

20 Well, let me ask you this way. What's Lydia getting for her five and a half thousand dollars?---I do not know.

THE COMMISSIONER: From what I understood you to say earlier, Ms Hatton, Ms Zhang and I think somebody called Humphrey were associated with this trade centre proposal, was that - - -?---They were, that's how, that is what my understanding is of how Humphrey Xu and, and Lydia Zhang, they knew Daryl previously in regards to the trade centre. The, they were already in, they, they were connected to the trade centre before I started working for Daryl.

30 MR ROBERTSON: Just go back to the preceding page. You ask Mr Elliott, "Do you want me to make a receipt template, or do you?" Do you see that there?---Ah hmm.

And so we take it from that, do we, that you hadn't had occasion before 29 November, 2012, to either create a receipt template or, for that matter, to issue a receipt on behalf of G8way International?---That would be correct.

40 And is it consistent with your recollection that this invoice that you sent to Mr Elliott must therefore have been the first tax invoice issued by G8way International?---Yep, from the template that Mr Elliott sent me.

Do you recall whether that invoice was paid, the \$5,500?---I don't know.

Did you ever receive money from anyone, be that a cheque or be it cash, in relation to G8way International activities?---I - - -

Did you ever personally take possession of a cheque or cash?---I, I'm sure I took some cheques from, Lydia would I think, I do recall once accepting a

cheque from Lydia for payment for New South Wales Parliament, I think it was set up for, like, a payment for an event.

THE COMMISSIONER: Ms Hatton, this invoice, sorry, this email to which the invoice for five and a half thousand dollars attached - - -?---I don't - - -

10 Could you just listen to the question, please. Says they are coming in today to pay. Is that a reference to the fact that they were coming in to pay the invoice which you were sending for Lydia?---Yes. I'm, I'm making that assumption. And do I recall her coming in to pay? I don't, because Lydia would say on lots of occasions that she was coming in to drop a cheque off or to do something and she never showed up. So I don't recall whether she did come in that day to pay.

Had she come in and given you either cash or a cheque in respect of that invoice, what would you then have done with it?---If it was – I would have left it for Daryl.

20 To do what with?---And put into, I would have put it into Daryl's drawer.

Yes, understanding that he would do what with it, or did you have an understanding of what he would do with it?---And then I would – my understanding is maybe it went back to, to Mr Elliott but I didn't deal with that aspect. I would have left it in his drawer.

Thank you.

30 MR ROBERTSON: So to be clear, you have a recollection of at least one occasion Ms Zhang, Lydia Zhang, attending and giving you a cheque in relation to a G8way International-related issue. Is that right?---No. I think it was a parliamentary event. I don't, I really don't recall.

So you're saying your best recollection was receiving a cheque, what, made out to the parliament?---I, to be honest with you, I really don't remember.

40 You don't recall the addressee but can recall that on at least one occasion Ms Zhang attends - - -?---I think on one occasion she did, yes. I couldn't tell you who it was made out to.

And you're quite clear in your mind that it was a cheque rather than cash? ---I think it was a cheque.

Did you ever receive cash from anyone in connection with any G8way International activities?---I don't recall. It's a bit blurry between parliamentary and G8way. There were fundraisers that people would purchase tickets for, like a dinner or a lunch, and funds would be dropped in, in an envelope, but is it G8way? No, I don't absolutely recall that.

So putting aside fundraising activities, paying for a raffle ticket or a seat at a lunch or something like that, were there any other occasions in which you accepted cash on behalf of Mr Maguire?---If, goodness, if, if people, only if Lydia came and dropped some money in, there may have been some occasions, and if that was the case I would have certainly just popped it into his drawer.

10 I just want to be clear about your recollection, so - - -?---I know. I, I don't recall.

Let's focus on cash for a minute.---Yes.

And we'll be broad about it.---Good.

I'm not concerned at the moment about paying money for a raffle ticket or paying money for say a seat at a lunch as part of a political fundraiser. Outside of something of that kind, do you recall any circumstance in which you were presented with and accepted cash on behalf of Mr Maguire, Mr
20 Elliott or G8way International?---I may have but I don't recall. It's more than likely that I did.

Well, were there any occasions – more than likely that you did?---More than likely, but I don't recall.

But were there any occasions on which you accepted and received cash in an amount exceeding \$1,000?---Probably, if there had have been a function, yes.

30 In a single delivery?---Yes.

What did Mr Maguire charge for a seat at a fundraising lunch or dinner - - - ?---It depended what - - -

- - - more or less than \$1,000?---It depended what the event was.

Well, did he have a practice of having fundraising events where he charged more than \$1,000 for a seat?---I think there may have been one event where there was \$1,000 but I don't recall.

40

For an event hosted by him?---No. I think there was maybe one, it was for, I know it was to raise money for Asia Pacific Friendship Group, which the tickets were quite expensive, but I couldn't tell you exactly how expensive they were.

Do you recall the particular thing that the Asia Pacific Friendship Group was fundraising for?---I couldn't.

Do you ever recall seeing Mr Maguire accept cash from anyone?---No. Like, not, no, not, like, Humphrey or, I know – I’m trying to think. I know that when we went to China that Humphrey was going to be paying for Sarah, the journalist, and I think that cash was going to get dropped in for her flights.

And do you recall that actually happening or are you just aware that that was going to be the plan?---I’m aware of it.

10 And why was the cash going to be dropped into the office as opposed to given to the journalist themselves?---Because Daryl Maguire paid for her flights.

So there was at least one occasion where at least the arrangement was that there would be some reimbursements in cash, is that right?---I think for, for the journalist’s flight, yes.

Were there any circumstances in which you saw Mr Maguire accepting Councillors Azzi and Hawatt by way of a fee for anything associated with G8way International?---No, I don’t.

20

And in relation to the invoice that we just had up on the screen, are you saying you’re not able to assist us as to whether or not that invoice had been paid or not, even though you said to Mr Elliott, “They are coming in to pay today”?---I don’t recall whether she did come in to pay that day. She may have and - - -

Had she done so, what would have you done with the money?

THE COMMISSIONER: I think I just asked that, Mr Robertson.

30

MR ROBERTSON: Oh, I’m sorry.

THE COMMISSIONER: She would have put it in a drawer for Mr Maguire.

MR ROBERTSON: In the drawer. That was with, and is that answer both in relation to a cheque and in relation to cash?---Yes, yes.

40 Can we go to page 19 of volume 13A, please. Before we get to this one, do you recall whether you actually sent that invoice to Ms Zhang or to any other person for payment? This is the \$5,000 invoice that I’m referring to now.---This email says, “Copy of invoice for dinner for \$1,000.”

No, I’m going back to the - - -?---Oh, sorry.

I’m sorry, no, that’s entirely my fault because I moved to the next document. The \$5,000 invoice, \$5,500 including GST - - -?---Would I have sent - - -

Do you recall whether that was actually ever sent to Ms Zhang or to anyone else?---I'm sure I would have sent it. Do I recall sending it? No, I don't.

THE COMMISSIONER: But was it a matter of practice, was it, if you were instructed to prepare an invoice of that nature that you would send it?---If I was instructed to do something, I would send it.

10 MR ROBERTSON: Can you then have a look at this different invoice that's referred to on the screen, "Copy of invoice, \$1,000, Nicole." Do you see that?---Ah hmm.

If we then just turn the page. Do you know who prepared this invoice?
---Maybe I would have prepared – it was either myself or, or Phil.

But you're just not sure one way or the other?---No, I'm not sure one way or the other.

20 Do you recall having anything to do with a dinner for the Secretary of Liaoning Province in November of 2012?---No, I don't recall going to dinner.

Well, I'm not saying going to dinner, but don't remember ever organising one in respect of which an invoice might have to be rendered?---I may have organised it. I really don't recall.

30 I take it that the idea, at least as you understood it, was that for things like dinners and organising functions and introduction or whatever, the idea, as you understood it, was that G8way International would make a profit out of doing those things?---I am, yes, I, yes.

G8way International is a business and the idea about being in business is to make a profit?---Yes, correct.

There was no suggestion to the contrary from Mr Maguire or Mr Elliott.
---No.

40 But is it right that you're not able to assist us as to whether you prepared this particular invoice or not?---No, I don't recall whether I prepared the invoice or not. It either would have been myself or to, or Phil.

Do you have any recollection of an event being organised for the Liaoning Province, it being paid for, but it not ultimately occurring and a refund having to be given?---(No Audible Reply)

Does that ring any bells?---Sorry, does that, can you repeat that, because I didn't understand what you were meaning by that.

Do you have any recollection of an event occurring for the Liaoning Province, it being paid for by Ms Zhang or perhaps someone associated with Ms Zhang, but you having to organise a refund?---No, I don't recall.

I'll try and help you this way. Volume 13A still, and page 87 – in fact, what we might do is, before we go to 87, I apologise to the operator, we'll go to page 95. So we'll just go to the next page, page 95, because we'll have to read upwards.---Okay.

- 10 And you'll see towards the bottom a copy of invoice for dinner, \$1000, which was consistent with what we saw a little while ago.---Yep.

Mr Elliott comes back, "Thanks, Nicole. Perfect," et cetera. And then if you just have a look towards the top of the page, "The women" – you might have meant "woman."---Oh, probably "the woman."

"Is now wanting her money refunded. How is the best way to handle this?" Do you see that there?---Yeah, I do. I - - -

- 20 Does that ring any bells?---It doesn't.

Let's go back up a page. You say to Phil, so the bottom of the page, "Remember last week we had a payment of \$1,000 for the China dinner that in the end did not take place? I banked the funds into the G8way bank account on Friday a.m." Do you see that there?---Yeah, I do.

So does that refresh your memory that, in connection with the China dinner, you must have received a cash payment of \$1,000 - - -?---We must have.

- 30 - - - that you banked into the G8way bank account?---Yeah, I seriously don't remember that at all.

So you can see that from that, but you don't, you still don't have a recollection of that? Noting I accept it was some time ago.---Yeah, I don't, yeah, I don't know that at all, and - - -

And then if you look further up, there's then "a chat to Rebecca."---Yeah. Yep.

- 40 Which must be Rebecca Cartwright.---Yep.

And then a payment being withdrawn, et cetera. Did you, as you recall it, have any involvement in that matter?---No, that email was from Rebecca to Phil.

Yes, copied to you, though, by the looks of it.---Yeah, yeah, I was CC'd into it. I can only assume that Rebecca has withdrawn the money for her, and then, and then Phil would have transferred her the funds.

Do you recall whether you ever had access to Rebecca Cartwright's email address?---Her parliamentary one?

Her parliamentary one.---No, I didn't have access to her parliament - - -

You never had access to her email address?---No, not to her – I couldn't access her emails, no.

10 So she'd never used your – to your knowledge, she never used your Parliament House email address to send emails, and you never used her Parliament House email address to send emails?---No. No, no, no, no.

But again, even with the benefit of the documents that I've shown you – as I say, accepting this is some time ago – you don't recall these kinds of arrangements in relation to an event of 30 November, 2012?---I don't, I don't, I don't.

20 I mean, this event was presumably a pretty big thing for Mr Maguire and Mr Elliott, given that it seems to be the first event in respect of which an invoice was being issued.---Mmm. I, I understand what you're asking me, but I don't - - -

But it doesn't trigger any memories?---It, it doesn't – there's no major memories from eight years ago.

30 THE COMMISSIONER: It doesn't trigger your memory that this delegation from China met the then Premier O'Farrell?---There, there was a delegation that came up from China that met - -

I'd like you to assume it was this delegation in respect of which we've been dealing with these invoices.---That may have been the delegation, I couldn't tell you that definitely, but that certainly may have been the case and there was a lunch that was organised which they didn't attend.

40 MR ROBERTSON: So is it right to say you do have a recollection of an event - - -?---Only when the Commissioner mentioned Premier O'Farrell, then I remember, because Premier O'Farrell wasn't staying for the lunch, then the Chinese delegation was saying, well, we're not going to have the lunch, and they left and it was, what do you do with all this food. That's why I remember it back then.

So you do have a specific recollection of there being a delegation coming from China and meeting with the Premier, Mr O'Farrell?---There was a delegation that did come, they did meet with Premier O'Farrell, yes.

And what involvement did you have in relation to that event, if anything? ---I'm going to say not a great deal. I may have – Mr Maguire would have

sent the request to or spoken to Premier O'Farrell's office about the Premier meeting with the delegation, that's certainly, that's way above my pay grade in that regard, and I probably set up the lunch, but did I - - -

When you say you set up the lunch, that means making the formal arrangements so that parliamentary catering does the - - -?---Yes, basically chose the menu, had it set up. I wasn't attending the lunch, that then, if it's the correct delegation, when they left there was 20 meals, and so - - -

- 10 You said a little while ago that from time to time events would be organised in Parliament House but for the benefit of some outside organisation who would ultimately pay the bill. Is that, do I have that right?---Yes, some, yes, some would be outside, yes.

Do you know whether as a matter of procedure or policy it was permissible for members of parliament to organise an event, like a luncheon of the kind that you're referring to, and instead of just charging on the cost to the outside party, charge the cost and charge an additional fee on top of that?
---I, I, I don't know. I couldn't answer that question for you because I don't
20 know the answer to that.

You don't know whether it would have been regarded as proper or not - - -?
---No, I don't know whether - - -

- - - for the MP to charge an extra fee on top of the expense?---No, I don't know whether that was done.

- You don't know whether it was done, but you would at least accept, wouldn't you, that as you understood the position, that would be an
30 improper thing to do as a matter of proper policy within Parliament House?
---Yes, for a member of parliament to receive monetary, yeah, for that, to receive, absolutely. As far as I'm aware the majority of times with functions and catering jobs, it was, the majority of times was actually billed to the member.

- But from time to time, after it was billed to the member, would it then be on-billed to some third party?---It depends whether the member was paying for it and it was, tickets were being sold if it was a fundraiser or it's, there were like, you know, some fundraisers where it was raising money for
40 Kiribati, and certain people and delegations would, you know, spend \$50 for a ticket. It would be billed to either Daryl Maguire because he was the chair, or one of the other members, whoever organised it, and then that would be paid, the bill would be paid that way, but the cheques would be written out to Asia Pacific Friendship Group or, so it could be billed into that account.

So in relation to the particular delegation that you remember from China who met Premier O'Farrell, I think you're explaining that the intention was

that there was going to be a luncheon associated with that particular delegation. Is that right?---Yes, that's what my understanding is.

And is what you were saying that Mr O'Farrell wasn't going to attend the lunch or ultimately didn't attend the lunch. Is that right?---Ah hmm.

And the delegation didn't think that that was great and didn't attend the lunch themselves. Is that what happened?---Correct.

10 Do you recall whether Mr Maguire still got billed for that luncheon?
---Absolutely. The food was - - -

And I take it, then, that he then paid for that?---Yes, he would have had to have paid for it.

Do you recall whether that was then invoiced on to anyone by way of reimbursement to Mr Maguire?---I, I don't recall. I don't know if Mr Maguire, I don't, I don't know.

20 Do you recall whether any other events were associated with the same day and the same delegation? So we've got the meeting with Mr O'Farrell, we've got the intended luncheon. Was there anything else, as you recall it, associated with that particular day?---Not that I'm aware of. I know the delegation went on a harbour cruise on their own accord.

So let me try and help you this way. I want you to - - -

30 THE COMMISSIONER: Instead of the lunch?---Instead of the lunch, because they were insulted.

MR ROBERTSON: How did you know they were insulted?---Because I was told.

By who?---By Mr Maguire.

Not by anyone from the delegation itself or from - - -?---No.

40 - - - someone associated, such as Ms Zhang?---No. No, I'm pretty sure it was Mr Maguire.

And just for your benefit, material available to the Commission suggests that the Mr O'Farrell meeting and the signing ceremony, that I showed you the photograph of, happened on the same day in relation to the same delegation.---It may certainly have happened. I don't recall.

But that doesn't help you join the dots, as it were, between different events?---If it was the signing and then the luncheon, that wouldn't be

unusual. But I don't know if, I don't know what other events. I don't recall what other events were organised.

Can I just show you one further document on this topic?---Sure.

Page 28 of volume 13A. And here's an email from Mr Maguire to you, saying, "Please put on a letterhead ASAP," and note it's 30 November, 2012, in the morning, 8.33am. So this is the day of what appears to have been the meeting with Premier O'Farrell, and the signing ceremony. If we then just turn the page, you'll see there "function preparation and room set-up, decoration and associated activity". Do you see that there?---Mmm.

Do you recall having put this invoice on the letterhead?---No, but I probably did.

Who is Mr Jin? See how it's addressed to Mr Jin, J-i-n, of Shenhe District? ---Ah, I don't know. I would say he's part of the delegation.

But why would - - -?---I don't, I don't recall, I don't recall who that name is.

Why would the delegation, or someone associated with the delegation, have to pay for function preparation, room set-up, decoration and associated activity?---To me, that seems like the lunch. I, I don't know.

You don't have a particular recollection?---I don't, I don't have a recall on it.

And then finally in this bundle, page 87. Now, you then seem to send an email to Ms Cartwright a little bit later on that day, "Can you print this on the letterhead I've emailed you? It fits perfectly on the template." See that there?---Yep.

Why would you have been sending that to Ms Cartwright?---Because I wasn't at Parliament House.

So you weren't in a position to put it on the letterhead yourself, even though you'd been asked by Mr Maguire to do it, and so you enlisted Ms Cartwright to assist you in relation to that matter?---I may have, I may have been at home and just emailed her.

But you at least, you don't have any recollection of being in Parliament House on this fateful day, not fateful day, but on this day in which the meeting with the Premier happened, the cancelled luncheon, et cetera, et cetera?---If it's the same event that I, as I said, I wasn't at the meeting, as far as I'm aware. Well, at the signing. I don't recall that. I mustn't have been at parliament that day because I'd emailed Rebecca Cartwright from my private email address, saying, "Could you please do this for me?"

So you're inferring from that that you were not in Parliament House on the day, 'cause if you're in Parliament House on the day, you would have used your Parliament House email address?---I, yeah, I, yes.

Did you have access to your Parliament House email address when you were not within parliament?---No, I did not.

10 When you were working for Ms Upton, did you play any role within G8way International?---I organised – Daryl emailed me one day and asked me to book some hotel accommodation for somebody, I think maybe Gordon. Daryl contacted me a couple of times to do things, but there was not a great deal of – I, I had sort of walked away from Daryl Maguire.

So is it fair to say that during that interim period where you weren't working directly for Mr Maguire, and before you went back to working for him again as an additional temporary staff member - - -?---He asked, he asked me to do, he asked me to do a couple of things.

20 He'd asked you to do a few bits and pieces?---Yes, he would.

Did you have any approval to perform outside work at that time?---No.

When you were working for Ms Upton as an electorate officer, was that on a full-time basis or a part-time basis?---Yes, it was.

30 And is it fair to say that you had some, you assisted Mr Maguire on some matters, particularly those associated with travel, but you were less involved than you were when you were working for Mr Maguire as an additional temporary staff member?---Absolutely. Yeah, absolutely.

When you came back to work for Mr Maguire, after you finished with Ms Upton, did you then fall back into performing functions for G8way International?---Yes, I did, because that's what Daryl asked me to do.

And so again, it was the kind of functions that you and I have already spent some time on, on the request of Mr Maguire?---Ah hmm.

40 I take it again in that latter period you didn't have a formal approval from the clerk at the Legislative Assembly in relation to those matters of outside employment?---No, because I had just moved from one role to the next.

And so effectively, although you'd been offered work with Ms Upton in the meantime, the kinds of things you were doing before you were also doing in that latter period of employment with Mr Maguire, is that right?---In regards to - - -

In regards to G8way International. You were doing various activities, you might have been booking travel, or you might have been issuing

correspondence, quotes, the kinds of things you and I have been discussing with.---Yes.

On each occasion on instructions of either Mr Maguire or Mr Elliott?
---Correct.

Mr Maguire still made it clear that if Mr Elliott was giving you a request to do something on behalf of G8way International, then you were entitled to do that on your parliamentary time?---Yes.

10

That time, at least when it was done in Parliament House, would end up on a time sheet, but now I think electronically rather than in a hard copy form, is that right?---(No Audible Reply)

Sorry, you have to answer out loud.---Yes, sorry, yes, sorry.

And Mr Maguire would ultimately approve those time sheets, or electronic versions of time sheets and then you'd paid through parliamentary services.
---Correct.

20

I asked you some questions about when you first came to work with Mr Maguire, whether there was induction and things of that kind. When you came back to work for him, was there any forms of induction or anything of that kind?---No, there wasn't.

Did anyone tell you that a piece of legislation called the Members of Parliament Staff Act 2013 had come into force in 2014?---This is when you, the member of parliament, you basically worked for the member of parliament and not the Parliamentary Services any longer? Is that the - - -

30

Well, really what I'm asking is whether your attention was drawn at any point on or after 24 February, 2014, to the fact that a new piece of legislation had been passed in New South Wales called the Members of Parliament Staff Act 2013.---I know that there was a new form of legislation, but I don't know all the details of the legislation.

Was there any training, induction, anything of that kind in relation to that new piece of legislation?---No induction.

40

We've discussed a number of the individuals who had some connection with G8way International. One person I don't think we've discussed is a person by the name of Maggie Wang.---Ah hmm.

Does that name ring a bell?---Yes, it does.

Who's Maggie Wang, and what was her association, if any, with G8way International, as you understood it?---Maggie Wang, I don't know completely what she did. She, I only ever met her when I went, when I

went back to Daryl, after working for Ms Upton, and they already had a business, personal relationship, which they had developed during that period of time that I was working for somebody else.

But what was her business role or activity, as you understood it?---I think she did quite a bit of translation.

10 Anything else, as you understood it?---I don't have a great deal of knowledge of what she did, but I know that she was involved in – she would, she would do translations in meetings.

You mentioned a function that you organised for G8way International a little while ago that was not at Parliament House. Do you recall whether Ms Wang was either at that function or associated with that function?---At the, at a dinner?

At a dinner or perhaps a lunch, something like that?---She may. She may have.

20 I'll try and help you this way, volume 11, page 174. Does it ring a bell that you might have organised a lunch for people associated with G8way International and part of your job was to obtain biographies or curriculum vitae or something like that, a blurb about the people who were in attendance?---It may have been - - -

Does that ring a bell at all?---I remember setting up a, like doing a luncheon but I'm just yeah, no, I'm just - - -

30 Well, let me help you with a document on the screen. So if you look at an email, it seems to have been sent from you to Maggie, 20 February, 2015, "Would you please email me your bio for next week's lunch?" Do you see that?---Yep, yep.

And so does that refresh your memory that one of the things you did with the G8way hat on was to organise a G8way lunch?---Yes.

Including to obtain bios from various people, including Maggie Wang?
---Ah hmm.

40 If you just read the bio that's under the word "Maggie" about halfway down the page, just to refresh your memory at as to what Maggie says her background is.---Trade, investment, property, immigration.

So is that consistent with your understanding as to what in fact the business relationship was between Ms Wang and Mr Maguire, or do you just not have that detailed knowledge of the time you went back to work for Mr Maguire?---I, I really didn't have much of a detailed knowledge about the relationship, what Maggie and Mr Maguire, when they – they would meet

fairly regularly, but the door, the, I wasn't involved in those meetings the majority of the time. I really don't know. But I know that she did do, she came, she sat in on events with translation and then they would have discussed other business aspects to it.

So to be clear, you knew that there was a business relationship between Mr Maguire and Ms Wang, correct?---Yes.

You knew that it at least had something to do with translation?---Yes.

10

It may have been more than just translation but you're not able to assist us as to the particular areas in which it might have arisen?---Absolutely.

Do you have any recollection of Ms Wang ever giving any money, cheque, cash or anything else, to Mr Maguire?---Not that I can recall.

Just pardon me for a moment, Commissioner. I tender the document that's on the screen, email from Maggie Wang to g8wayconsultancy@gmail.com, 20 February, 2015, 5.56pm.

20

THE COMMISSIONER: That will be Exhibit 164.

#EXH-164 – EMAIL MAGGIE WANG TO G8WAY CONSULTANCY DATED 20 FEB 2015 RE LUNCH 25 FEBRUARY

MR ROBERTSON: When was the last time you spoke to Mr Maguire? ---Last time was probably, last time I spoke to him was probably 2016. I did send him, he sent me a text when his daughter got married, showing me pictures of his daughter's wedding, and when he was on the news for being brought up in ICAC, I sent him a message saying, "Are you okay?" And that's it.

30

So since that point in time, is it right - - -?---No, and I think maybe he, no, maybe, I don't think he did text about his son-in-law passing away but otherwise than that. I went to work for the Sisters of the Good Samaritan in 2016, and basically almost then communication was severed.

40

So other than those couple of examples in relation to a bereavement and in relation to what happened here in July of 2018 - - -?---And his daughter's wedding.

And his daughter's wedding. There's been no contact, be it telephone, email, directly, indirectly, et cetera, et cetera?---No, I haven't, I haven't called, I had no reason to call him at all.

And I take it, then, that you haven't discussed with Mr Maguire this Commission's investigation?---Absolutely not.

And have you discussed this Commission's investigation with anyone else other than lawyers?---Only when we first got the very first telephone call, saying if I would come in without a, you know, just come in for an interview without being summonsed. I was shocked by the whole thing. My husband knows about it. But - - -

10 But you haven't had any discussions with Mr Maguire, Mr Elliott or anyone else associated with G8way International, is that right?---No, no. No. I think when I was so shocked that, no. I haven't spoken, as I said, I haven't spoken to Mr Maguire and I haven't seen or spoken to Phil Elliott in, I'm going to say, four years now.

That's the examination, Commissioner.

20 THE COMMISSIONER: Ms Hatton, you worked for Mr Maguire for two periods in Parliament House. The 13 or 14 months before you went to work for Ms Upton, and then I think approximately two years, 2014 to 2016, when you returned from that.---Yeah, it was about 15 or 16 months, because I left to go to - - -

The Sisters.--- - - - a charity, yeah.

Yes. And as I understand your evidence, throughout those two periods you worked for him, you did what you've described as administrative duties for G8way International on his instructions?---Ah hmm.

30 And you did that not only on his personal instructions, but also on his instructions you took instruction from Mr Elliott, is that correct?---That's correct.

And the sort of activities or administrative duties you were asked to do included preparing the invoices which you've been shown today.---(No Audible Reply)

You have to answer (not transcribable).---Oh. Yes.

40 Arranging travel, making travel arrangements for friends or colleagues with Mr - - -?---Mr Maguire.

- - - Maguire to go to China.---Ah hmm.

Some of whom you understood to be involved in or intended to be involved in business association with G8way International.---Mmm. Yes.

And did you understand whether or not either gentleman had administrative support in Wagga for G8way International?---Not that I'm aware of.

So was your understanding that they used your services because you were available and could assist?---Correct.

10 So the effect of what you were doing was turning, not you were doing but what Mr Maguire was doing by instructing you to carry out those duties, was really turning his Parliament House office into an office for G8way International as well. Is that a fair description?---Correct.

Thank you. Mr Harrowell, did you have any questions you wanted to ask which Mr Robertson may or may not have vetted?

20 MR HARROWELL: In fairness, he hasn't vetted them, Commissioner. Just a couple of questions about dealing with expenses within the parliamentary office relating to G8way. Ms Hatton, during the time you worked for Mr Maguire, one of the things you mentioned earlier today is you had to pay for visas with credit card. And I think you said it was your credit card.---Ah hmm.

Did Mr Maguire reimburse you for that?---Yes, I was reimbursed for those expenses to the amount of the invoice or - - -

30 Yes. And were there other expenses relating to G8way International? For instance, postage, for example. Were they paid by you or did Mr Maguire provide you a credit card or some way of paying for those expenses in the office?---I don't recall really there being really any other expenses. If he had asked me to pay, you know, collect something or send a letter, I would just pay for it out of my money and then he would just reimburse me for it or, or, or Phil Elliott would.

40 And did Mr Maguire make available the details of his credit card to you so that you could for instance book a function outside parliament?---If I needed, if he, if I had to book a flight for him or, or make a, like, do something that required like a large payment, he would give me his credit card so I could charge it and then I'd give him his credit card back to him, like in any environment.

Yes. So that to your knowledge, for instance in booking flights when he went to China, a number of flights the Commission's already heard have been paid for by others, but where you booked a flight for Mr Maguire were any of those flights charged to any parliamentary entitlement of Mr Maguire's?---No.

And are you aware of any G8way expenses that were charged by Mr Maguire to any parliamentary account?---No.

Thank you. I have no further questions.

THE COMMISSIONER: Mr Jones, did you wish to ask any questions?

MR JONES: No, I don't, Commissioner.

THE COMMISSIONER: Thank you. Mr Robertson, do you have anything to ask arising out of that?

10

MR ROBERTSON: I don't have any further questions, I don't.

THE COMMISSIONER: Shall I excuse Ms Hatton?

MR ROBERTSON: You should, in my submission. It's conceivable though I think unlikely that she'd need to be recalled. I think in the face of that it's appropriate that she be discharged from her summons.

20

THE COMMISSIONER: Very well. Ms Hatton, thank you for attending today. I'm discharging you from your summons by which you were obliged to appear. Do you understand that?---Yes, I do.

Very well. Is there anything else today, Mr Robertson?

30

MR ROBERTSON: There's not. I'll just indicate for the benefit of those following along, as I said this morning, I'll call Ms Cartwright tomorrow, she'll be relatively brief. As I understand it, the Commission won't be in a position to hear from the other witness who was scheduled for tomorrow, Mr Gordon Tse. I presently intend to tender some evidence relating to Mr Tse and relating to evidence that he may have been in a position to give if he could be brought conveniently before the Commission, so I propose to deal with that tomorrow. I anticipate that tomorrow's proceedings will be about half a day or thereabouts. I'm not in a position to call the next set of witnesses any earlier because they're Wagga witnesses who'll need to travel down.

THE COMMISSIONER: Before Thursday, yes.

40

MR ROBERTSON: I'm hoping to be in a position to have a witness list for next week uploaded during the course of tomorrow, if not during the course of tomorrow then early on Thursday morning.

THE COMMISSIONER: Thank you, Mr Robertson. There being no further business, the Commission will adjourn for today.

THE WITNESS EXCUSED

[3.47pm]

AT 3.47PM THE MATTER WAS ADJOURNED ACCORDINGLY
[3.47pm]