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PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE RUTH McCOLL AO
COMMISSIONER

PUBLIC HEARING

OPERATION KEPPEL

Reference: Operation E17/0144

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 23 SEPTEMBER, 2020

AT 10.00AM

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

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

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Can I indicate by way of programming for today.

THE COMMISSIONER: Please be seated.

MR ROBERTSON: I'll call Ms Cartwright in a moment. As I indicated yesterday, I intended to call Mr Gordon Tse, T-s-e, this afternoon. I won't be in a position to do that. He's presently, as we understand it, in the
10 People's Republic of China, and the Commission hasn't been in a position to make arrangements for him to appear through alternative means. Instead what's proposed is to tender some evidence given by Mr Tse in a compulsory examination before this Commission on the 5th of February, 2019. As I understand it, you, Commissioner, have lifted the direction that was made under section 112 of the Independent Commission Against Corruption Act in relation to that matter. My learned junior, Mr Brown, will deal with the formal tender of that matter but also draw the attention of the Commission and those who are following along the critical aspects of
20 Mr Tse's evidence, so I anticipate today will be a fairly short day. As I indicated yesterday I'm not in a position to call the next witnesses any earlier because they're Wagga-based witnesses who have transport arrangements to come back tomorrow, so today will be a relatively short day. Thursday and Friday I expect to obviously be long days.

THE COMMISSIONER: Very well. Thank you, Mr Robertson.

MR ROBERTSON: Those are the only housekeeping matters on my part. I call Rebecca Louisa Cartwright.

30 THE COMMISSIONER: Yes. Thank you. Ms Cartwright, I gather you wish to make an affirmation?

MS CARTWRIGHT: That's correct.

THE COMMISSIONER: Thank you. Please be seated. Mr Pintos-Lopez, you represent Ms Cartwright?

MR PINTOS-LOPEZ: I do, Commissioner.

10 THE COMMISSIONER: And have you explained to her her rights under the Independent Commission Against Corruption Act?

MR PINTOS-LOPEZ: I have.

THE COMMISSIONER: Does she seek a section 38 declaration?

MR PINTOS-LOPEZ: She does, Commissioner.

20 THE COMMISSIONER: Very well. If you listen to me very carefully please, Ms Cartwright. As a witness you must answer all questions truthfully and produce any items 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 items, 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. 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
30 exception also applies to you. As I understand, you were at the time of your compulsory examination and are you still employed in Parliament House?
---Yes, I am.

40 You are. It only applies to New South Wales public officials, which you are by virtue of those employments. 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. I can make a declaration that all the answers you give and all items you produce will be regarded as having been given or produced on objection. This means you don't have to object to each answer or to the production of each item. I understand you wish me to make such a declaration.---I do.

Very well. 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 her 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 HER 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.

THE COMMISSIONER: Thank you, Mr Robertson.

MR ROBERTSON: Can you state your full name, please?---Rebecca Cartwright.

20 You're also sometimes known as Bec, is that right?---Yes, that's correct.

And you sometimes refer to yourself as Becky, is that right?---That's correct.

You presently work in the Government Whip's office. Is that right?---That's correct.

30 You commenced working in that office in 2011?---Yes, I did.

The first Government Whip for whom you worked in that office was Mr Daryl Maguire, correct?---Correct.

After Mr Maguire was no longer the Government Whip, you continued to work in that office, is that right?---That's correct.

When Mr Maguire was Government Whip, Nicole Hatton was an additional temporary staff member for Mr Maguire, is that right?---Correct.

40 Is Ms Hatton a friend of yours?---Yes, she is.

Is she someone that you knew before you started working for Mr Maguire? ---Yes, I did.

And was she someone that you introduced to Mr Maguire as a possible employee of Mr Maguire?---Yes, I did.

Prior to working in the Government Whip's office, you continued to work in Parliament House, is that right?---I worked in Parliament House, yeah.

And you worked in the Table Office, is that right?---That's correct.

And for those that don't know what the Table Office is, that's involved in matters of procedure and things of that kind on the Legislative Assembly, is that right?---Yes.

10 And I think you explained to the Commissioner before, you continue to work in the Government Whip's office now, is that right?---Yes, that's right. Yeah.

That's Adam Crouch MP, I think, is that right?---Yes.

The job as Government Whip, has that been on a full-time basis, part-time basis or some other basis?---Full-time basis.

20 During the time that you have worked in the Government Whip's office, have you ever had approval from the Clerk of the Legislative Assembly to engage in paid outside employment?---No, I have not.

When you were first employed in the whip's office, did you receive any training as to your roles and responsibilities as a member of staff or a member of parliament?---No, I did not. I was on secondment when I first went there.

30 So when you first started working in the Government Whip's office for Mr Maguire that was on secondment only, is that right?---Yep.

When you say secondment, secondment from the Table Office, was it?
---From the, correct, yeah, from the (not transcribable)

At what point in time did you cease to be on secondment and become a full-time employee in the Government Whip's office, do you remember?---I believe three months.

40 After a period of about three months?---Three, three months. About three -
- -

So that was some sort of a probation period in effect before you were put on on a continuing basis?---Yes, yeah. Correct. Yes.

Once you were put on on a continuing basis, were you given any training or instruction as to the roles and responsibilities as a staff member working for a member of parliament?---No, I didn't.

Did you receive any training, for example, about whether or not it was permissible to assist a member of parliament in the personal business activities of members?---No, I wasn't given training.

Did you receive any training as to things such as to the appropriate use of taxpayer funded resources?---No I don't think so.

10 THE COMMISSIONER: Ms Cartwright, could I ask you to keep your voice up, please.---Oh, sorry. Yep.

We all have to hear.---Yep. Sorry.

MR ROBERTSON: If you point your face in the general direction of that microphone.---That one? Okay.

You don't need to be right next it.---Okay.

But we'll hopefully pick it up.---Yep.

20 Did you receive any training of that kind when you first went to work at the Table Office?---No, I did not.

Did you receive any instruction when you started to work for Mr Maguire in the Government Whip's office on the Code of Conduct for Members' Staff?---I don't recall.

30 Can we have on the screen, please, Exhibit 105 at page 244. That's public inquiry brief volume 1, page 244. I put up on the screen a document entitled Code of Conduct for Members' Staff. So you see that there?---Yes, I do.

Is this a document that you've seen before?---I have seen it, yes.

Were you provided a copy of this document, so far as you can recall, when you first started to work for Mr Maguire?---I don't recall but I could have possibly got it with my, with my employment.

So there might have been some kind of induction process where you were given a series of documents?---We were just given a packet, yeah, just - - -

40 And so is it fair to say you don't have a specific recollection of it but it's quite possible that this is one of the documents that you were given?---Yes, yeah.

THE COMMISSIONER: When you joined Mr Maguire's or the whip's office or the Table Section from which you were originally seconded? ---When, this particular one, I would have got this one when I joined Daryl Maguire's office, I believe.

And is there a reason why you - - -?---For members' staff, 'cause that's for members' staff, yes.

I see. And you weren't one of those when you were in the - - -?---No, I worked for the parliament when I was, before I went to Daryl Maguire I worked as a parliamentary officer for parliament, and then when I left the parliamentary office I then worked for a member of parliament which is a different - - -

10 I understand, yes.---Yep.

Thank you.

MR ROBERTSON: And the time period you're talking about here, is that when you first started working for Mr Maguire that you think you may have been given some documents, or is it after that three or so month probation period?---I would have said it would be, I would have said it would be after the three months because I would have, I would have said it would have been after the three months, yeah.

20

And so do you have a recollection of signing some document?---I did sign - - -

It may have been this document, it may have been some other document? ---Yes, I remember signing, yes.

Do you remember whether you had a good read of it to understand your roles and responsibilities?---I would have possibly read it at the time, yes.

30 Was it at least clear to you that you required approval of the Legislative Assembly Clerk in order to perform any paid activities outside employment?---Yes.

So you knew that was something that you were not permitted to do without obtaining - - -?---Yeah, yeah.

- - - some approval in relation to that matter?---Yes.

40 Just pardon me for a moment, Commissioner. I'm told, Commissioner, there's a technical issue with the live streaming. It may be that there should be a brief adjournment so that that technical issue can be fixed.

THE COMMISSIONER: Very well. We'll adjourn until that's resolved, or if it's going to take too long I'll have to consider our position. Ms Cartwright, you may step down for a moment. We're going to adjourn to try and resolve this technical issue to which Mr Robertson's referred.

---Thank you.

SHORT ADJOURNMENT

THE COMMISSIONER: We've resolved the problem with the live streaming. The live streaming is happening, I hope you understand, because of COVID and the inability to have members of the public in the hearing room. So in order for those who weren't able to participate in that early part of you being examined, may have an opportunity, at least some of the more important aspects of the evidence you've already given. Mr Robertson may revisit some of those earlier questions.---Okay.

You're bound by your former affirmation of course.---Thank you.

MR ROBERTSON: With your leave, Commissioner, I might just repeat what I said at the very start of the hearing regarding the programming issues.

THE COMMISSIONER: Yes, by all means.

MR ROBERTSON: So that those who were seeking to watch by way of the live stream have the benefit of that.

THE COMMISSIONER: Yes.

MR ROBERTSON: I indicated as you will recall that today will be a fairly short day. I anticipate that the evidence will finish by about lunchtime. I've already called Ms Cartwright. She's obviously been I think sworn and the initial matters have been dealt with, a declaration under section 38 and the like. The second witness I proposed to call today I indicated yesterday was Mr Gordon Tse, T-s-e. The Commission is not in a position to call him to give oral evidence as the Commission understands that he is presently in the People's Republic of China, and for technical and other reasons the Commission is not in a position to call him by way of oral evidence. What instead we propose to do is tender a copy of a compulsory examination transcript of evidence that Mr Tse gave on 5 February, 2019, and I understand that you, Commissioner, have made a direction lifting the previous direction that was made under section 112 of the Act in relation to that matter. In relation to that evidence, my learned junior, Mr Brown, will present a number of aspects of that evidence. He won't, as it were, read out the whole transcript, but we propose that he'll identify the critical aspects of that transcript, tender a series of documents that's relevant to Mr Tse's evidence, and that will then form part of the public record in relation to the public inquiry.

So today, a fairly short day. As I've indicated, I'm not in a position to call Thursday and Friday's witnesses any earlier because they're Wagga Wagga-based witnesses and have travel arrangements, so I'll instead call them on

Thursday and Friday, so those days will be fairly full. But today's day, subject to technical difficulties and the like, will likely be a relatively short day.

THE COMMISSIONER: Yes. Thank you, Mr Robertson.

MR ROBERTSON: Ms Cartwright, I apologise for doing this but I'm going to go back over a couple of the questions that I asked before the brief adjournment to deal with the technical matter.---Yeah.

10

So just to confirm that you presently work in the Government Whip's office?---That's correct.

And you've worked in that office since 2011?---That's correct.

You first worked there by way of secondment from the Table Office? ---Correct.

That was a period of about three months or thereabouts?---Yes.

20

The first Government Whip who was in office at the time you joined the Government Whip's office was Mr Maguire. Correct?---Correct.

Mr Maguire ultimately retired as Government Whip but you stayed within the whip's office. Is that right?---Correct.

And you continue to serve in that office today. Is that right?---Yes, I do.

30

And I've referred to the Table Office. For the benefit of those who don't know what the Table Office is, that's in effect an office associated with matters of procedure and the like to assist the running of the Legislative Assembly.---That's correct.

Is that right as a general explanation?---Yeah, yeah.

When Mr Maguire was the whip, Nicole Hatton was an additional temporary staff member within Mr Maguire's office. Is that right?---Yes.

40

Ms Hatton was a friend of yours before she was appointed as an additional temporary staff member. Is that right?---Yes.

And you suggested Ms Hatton as a potential employee to Mr Maguire when he was Government Whip. Is that right?---That's correct.

And as an employee of the Government Whip's office, you've worked on a full-time basis from 2011 when you joined that office, right up until today. Is that right?---Correct, yeah.

I think you accepted from me before that you've never had approval from the Clerk of the Legislative Assembly to engage in outside paid employment. Is that right?---That's correct.

I think you also agreed that when you first joined Mr Maguire's office as Government Whip you didn't receive any training as to your roles and responsibilities as an employee of a member of parliament. Is that right?
---Not training, no.

10 Any training, general explanation, anything of that kind?---There would have been written of the job description but just the job description, was that?

So there was probably some paperwork that - - -?---Yeah, paperwork, yeah.
- - - was associated with getting that role. Is that right?---Yeah, yes.

And you may have had to sign a document or two regarding roles and responsibilities. Correct?---Correct, yeah.
20

But there was no formal induction process - - -?---No.

- - - where you were told, these are the kinds of things that you're allowed to do, that you shouldn't do, et cetera, et cetera?---No.

Did you have a sit-down with Mr Maguire when Mr Maguire discussed matters of that kind with you?---Oh, we discussed working in the, the whip's office of how the whip's office ran as a whole, looking after, making sure the members were in the parliament, turning up and doing what they're supposed to be doing. That was the major outline of my job.
30

So he gave you instruction as to practical matters as to what your job would actually be?---And there would be other – and yes.

But there wasn't more general instruction as to the kinds of things for example that you would not be permitted to do?---No, there wasn't.

I might just get you to come a little bit closer to the microphone - - -?
---Sorry.
40

- - - if you don't mind, or keep your voice up just so it can be picked up by the microphone. Before the adjournment I mentioned the Code of Conduct for Members' Staff.---Ah hmm.

And is it right to say that you may have received a copy of that when you first started to work for Mr Maguire but you don't have a specific recollection of that?---I don't have a specific recollection, but after seeing

the document, that would have been something that would have been part of the package that I signed, yeah.

So you seem to have a recollection of receiving a package of some sort.
---Yeah.

Probably signing a few documents which may well have included the code of conduct.---Yes.

10 And I think you accepted before the brief adjournment that you understood that you were not entitled to be involved in outside paid employment without approval. Is that right?---That's correct.

From when did you have that understanding? Was that from the very start of your employment or is that something that came to your notice at some later stage?---That when I worked for the parliament, not for the member, I had engaged in other work and I can't remember what that work was, but I remember asking the clerk about the work, it was outside of - - -

20 So is it right that when you were working in the Table Office you did perform some outside work?---It could have been even before that when I worked in security. I've been in parliament a very long time.

So but at least at some point in time you engaged in outside paid employment whilst you were an employee of the Department of Parliamentary Services. Is that right?---Correct.

And in relation to that paid work, before you were part of the Government Whip's office, you obtained the approval of the clerk. Correct?---Correct.

30 And so at least from that point in time you were aware that you weren't entitled to engage in paid outside employment without approval from the clerk.---Correct.

And that was an understanding that you had from day 1 in Mr Maguire's office. Is that right?---Correct.

40 Did you also understand it to be the position that you were not entitled to assist a member of parliament with their private business activities?---Yes, yes.

That was an understanding that you had when you first went to work for Mr Maguire. Is that right?---Yes.

And was that an understanding that you gathered in the same way that you've just explained from your previous - - -?---Yes.

- - - employment in Parliament House, rather than it being specifically communicated to you in the course of, say, an induction process or anything along those lines?---Yes.

Have you ever received any training or reference to a piece of legislation called The Members of Parliament Staff Act 2013?---Sorry, can you say that again?

10 Well, I'll ask it slightly differently. Have you ever heard of a piece of legislation called The Members of Parliament (Staff) Act 2013?---I've heard, heard of it, yeah.

Can you recall what context in which you came to hear of that piece of legislation?---No, I cannot recall, just - - -

Do you recall whether you've received any training or instruction as to what the Members of Parliament (Staff) Act 2013 requires of members of parliament staff?---No, not received training.

20 In the time – I withdraw that. In the event that some issue of concern arises within your employment, for example, a member of parliament not doing what they ought to do, not acting in accordance with their responsibilities, what's your understanding as to whether you're entitled to report that matter and, if so, who you should report it to?---It's my understanding that I would report it to the clerk.

And where did you gather that understanding from, is that you received - - - ?---Just from working in the parliament. Just, just, yeah.

30 So again, gathered in your extensive time in parliament?---Yes, yeah. Absolutely, yeah.

The clerk's the most senior day-to-day office within the Legislative Assembly, correct?---Correct.

And if issues of that kind arise, your first port of call, at least as you would understand it, is the clerk, is that right?---Correct.

40 Did you ever have any cause to raise any concerns regarding Mr Maguire's conduct with the clerk?---Not that I recall, no.

You travelled to China with Mr Maguire in July of 2012, is that right? ---That's correct, yep.

What was the purpose of that trip as you understood it?---The purpose of that trip was a trade, a trade fair in one province that I can't recall the name, and he wanted to do something similar in Wagga Wagga but it was - - -

Could that province be the Liaoning Province?---It could be but I can't remember the name.

And was that the whole of the purpose of that trip so far as you can recall it?---As far as I can recall, we, yes, as far as I can recall.

10 So Mr Maguire, what, was going on the trip with a view to arranging, what was it, a trade centre in or around Wagga Wagga, is that - - -?---It was, I got an understanding that he was hoping to do a similar thing in Wagga Wagga, a big trade fair that would be Wagga Wagga and put Wagga Wagga on the map was - - -

What involvement, if any, did you have in organising that trip?---Attending the trip. I didn't organise the trip.

Why were you in attendance on that trip?---Mr Maguire asked if I would like to come along, more for an experience, and I said yes, I would go.

20 And who paid for the flights for you to attend that trip?---I paid for my flights.

Who paid for the accommodation?---That was paid for by, I think by Humphrey.

And who is Humphrey?---He is a contact of Daryl Maguire's in, or a friend of Daryl Maguire's in China. He lived in China.

30 A contact in what capacity?---Not 100 per cent sure what capacity. They knew each other and I knew his name.

Do you happen to know what Humphrey's family name is?---I can't remember. It's X-u or, yeah.

Does Xu, spelt X-u, ring a bell?---I, I can't remember the - - -

Do you know a person by the name of Lydia?---Yes, I do know a person by the name of Lydia.

40 Who is Lydia?---She was either a partner of Humphrey's or worked with Humphrey and - - -

THE COMMISSIONER: A family partner or a business partner or possibly both?---I think, I think it could have been both. I'm not 100 per cent sure but, yeah.

Still I think I would ask you to keep your voice up.---Sorry. Yeah, 100 per cent, yeah, not a 100 per cent sure on that, yeah. Sorry.

Thank you.

MR ROBERTSON: So as you understood it, what was Humphrey's interest in paying, for example, for your accommodation? Why was he paying for it?---I'm not 100 per cent sure why he was paying for it.

10 Well, is that not something that you raised with Mr Maguire? "I'm paying for my own flights over but I'm getting expenses paid at the other end, what's this all about?"---He offered, said that there was a trip to China and that the expenses would be paid for, the accommodation would be paid for.

And what about things like transfers and things of that kind?---Humphrey had organised transfers, yes.

But are you saying you don't know why Humphrey took it upon himself to pay for those kinds of expenses?---Because he, because he wanted Daryl to come over.

20 Why, as you understood it, did he want Daryl to come over? What was in it for Humphrey?---I don't know what was in it for, for Humphrey. I, I don't know.

Was Humphrey associated with this trade centre idea that you've made mention to?---Yes, yeah.

30 So was the idea that Humphrey might be associated with attempting to bring such a trade centre to Australia? Was that the idea as you understood it? ---That was the conversation yeah, but, but that was something that I saw as Daryl wanting to bring to Australia so, if that makes sense.

But what I'm trying to understand is why, as you understood it, was Humphrey involved in this matter at all and, in particular, picking up the tab for some of the expenses overseas?---I'm not 100 per cent sure, no.

You're aware that members of parliament have obligations in terms of disclosure of things like travel expenses paid for by others?---Yes.

You're aware that that's an obligation?---Yes, yes.

40 When working in the whip's office for Mr Maguire did you have any responsibility in relation to those disclosures?---I didn't look at his disclosures so, no.

That wasn't something that - - -?---He didn't, that was up to, that was up to the member to put his own disclosure. I didn't put it together.

That wasn't something that you would assist Mr Maguire with?---No, I did not.

Who within his office was responsible for disclosures as you understood it?
---Would be the electorate office.

So, other than in relation to this trade centre issue, was there any other purpose as you understood it in the trip to China in July of 2012?---No. Not that I'm aware of, no.

10 I'll show you this document. It's Exhibit 155, public inquiry brief volume 5, page 210, which will come up on the screen there. That screen is adjustable, so if you want to push it up or push it down, you're welcome to do so as long as you don't hide behind the screen so the Commissioner can see you.---Sorry, I think I left my glasses outside when we took that break. Oh, no.

So if you just have a look at the email 13 June, 2012, 2.33pm from Nicole Hatton. Do you see there she sets out what's described as a proposed itinerary?---Yes.

20 And is it consistent with your recollection that at least the parts of the itinerary in which you are involved were consistent with what Ms Hatton is saying in her 13 June, 2012 email?---Yes. That's where we stopped, yes.

If you just have a look at 12 July for example.---Yep.

There's a series of individuals identified there. We've got Daryl.
---Ah hmm.

30 The next one is Julian. Who is Julian?---Julian is from Wagga Wagga and he was a councillor I believe for Wagga.

He was what, sorry?---A council, he worked in, a councillor.

A councillor?---Yeah.

So why was he on the trip as you understood it?---I don't know why he was on the trip.

40 You've then got Nicole which is presumably Nicole Hatton.---Yeah.

Rebecca.---Ah hmm.

And Humphrey and Lydia who you've made reference to.---Ah hmm.

If you look on the next line there's a reference to Uni Phil/Graeme. Do you see that there?---Yes.

Who is Graeme?---I can't remember who Graeme is, no.

And then if you jump down a couple of lines Wuai Markets on 14 and 15 July.---Ah hmm.

So was that part of the trip going to the Wuai Markets?---Yes, that was part of the trip. That was - - -

And was that what you were seeking to explain before?---Yeah.

10 There's some markets in Wuai and Mr Maguire was looking to bring some similar concept back to Australia.---Yes.

But was that the only reason for the trip as you understood it or was there some broader reason for the trip as well?---That was my understanding of the trip.

If you have a look at 16 July for example, Julian meeting with Du Wei. Do you see that there, D-u W-e-i?---Yep.

20 Do you know who Du Wei is?---I've seen the name but I don't know who he is.

You've never met a Du Wei before so far as you recall?---I don't believe I've met Du Wei.

And have you ever engaged in any communications with Du Wei so far as you can recall?---Not that I can recall but there's lots of names that I've sent emails to that are similar.

30 So is it right to say that, essentially, as you understood it, this was a trip in respect of which the sole reason for Mr Maguire being there was in relation to this Wuai Markets concept that he wanted to bring to Sydney?---Correct. Yeah.

And are you saying that, so far as you knew at least, Mr Maguire was not attempting to achieve some other business interests for his own benefit during the course of the trip?---Not that I'm aware of.

40 You didn't see him attempting to sell some product in some other area or cultivate contacts in relation to personal business activities?---Not that I'm aware of, no.

So far as you could see on the trip it was about the Wuai Markets concept and nothing else. Is that right?---That's correct, yeah.

THE COMMISSIONER: Ms Cartwright, this was a 10-day trip of which two days, as you have been shown, involved visiting these Wuai markets. Please understand that this is not a criticism, but on two of the days you and

Ms Hatton – well, on 17 July, you and Ms Hatton visited the Great Wall, and although it's not set out that way, could I assume that the next day you also visited the Forbidden City?---That's correct.

So there's - - -?---So there was, there was recreation.

There was tourism there?---Yeah, there was recreation there, yes.

10 So Mr Xu picked up the accommodation costs for this entire 10-day trip and all what I might call on-land expenses, is that correct?---That's correct, yes.

For you. And do you know whether he did the same for Ms Hatton?---He did it for, for Ms Hatton, yes.

And do you know if he did it for all of the Australian participants in the trip?---I don't know if he did it for all of the, all of the Australian ones, no.

20 Mr Maguire, did he pick up Mr Maguire's on-land expenses?---I, I don't know if he did pick up his ones. I would assume that he would have picked up his ones because he paid for our, for our, for our ones.

Thank you.

MR ROBERTSON: And so does it follow from those answers that it was Mr Xu who paid for the expenses to get you to see the Great Wall, for example, transportation expenses and things of that kind?---Yes. He had, but he, yeah, he'd organised transportation and the, like, a minivan that transported us around when we went to meet the delegations. So, ah hmm.

30 Went to meet delegations, what, on that day that you went to see the Great Wall, on the 17 July?---No, no, no, no. Well, we had meetings in, we had, there was meetings.

So the program of events, as it were, was organised by Mr Xu, is that what you're saying?---Yes, that's correct.

40 Both what we might call social events or tourism-type events and more formal events?---I don't know what input Daryl had in that. He might have put in the social events. I think he mentioned the social events but I, I didn't, I don't know who put it together.

But at least so far as you can understand, at least the mechanical arrangements, I'm talking about the ideas, but at least the mechanical arrangements and the payment of costs were happening at the Chinese end, in particular through Mr Xu, is that right?---Sorry, say that again?

The mechanical arrangements of organising the minibus to take one to the Great Wall or to a particular meeting, things of that kind, so far as you understood it, that was organised at the Chinese end by Mr Xu?---Correct.

And the expenses, the payment in relation to those things, paying the minibus driver, et cetera, that was picked up by Mr Xu as you understood it, is that right?---Yes. As, as I understand.

10 If you have a look on 15 July, after Wuai markets, see it says, "Restaurant site, Rebecca/Nicole." Do you see that there?---Yes.

What's that a reference to, as you understand it?---There was a restaurant, there was a restaurant in wherever, Wuai, and there was a proposition of possibly Nicole and I maybe looking after the restaurant because we both have catering backgrounds. But that was, I didn't know, we didn't know, I didn't - that was a - - -

THE COMMISSIONER: You mean as a business?---Yes, as a business.

20 MR ROBERTSON: So can you just explain that? What do you mean by looking after the restaurant?---To, to run it. They wanted to run the restaurant.

And when you say they, who is they?---Humphrey and Lydia. Lydia I think showed us to it, showed us the restaurant.

30 So running the restaurant. What, running a restaurant where, in China or in somewhere else?---There was, there was, yeah, there was a restaurant in China, yes, that was empty.

So you visited a restaurant site in China and, what, the proposal was that, what, you might assist in running it, is that the idea?---Yes, but that was something that they, they showed us, but there was no interest from Nicole or myself wanting to - - -

40 But running it in what way? Running it from a distance based in Sydney or - - -?---No. I think they wanted us to stay in China for a certain period of time and stay, stay in China. I, I, I don't, I can't remember. I remember seeing the restaurant and I remember being, that was, a, a question that was asked of would we be interested in looking at this, this restaurant but I - - -

So isn't it fair to say, then, that the trip had at least more than one purpose? One purpose might have been what we have described as the Wuai markets project, bringing some concept like those markets to New South Wales, in particular in the Wagga Wagga area, but there was also some other irons in the fire, so to speak, including the possibility that you and/or Ms Hatton might run a restaurant in China, correct?---Correct.

And it was further than that. There was a possibility that Julian, as of 16 July, Julian McLaren might be in a position to do some business with the gentleman referred to as Du Wei. Correct?---That's correct, but I don't know what, but I don't know what other than - - -

You might not know the detail of the business - - -?---No, no, I don't, no, yeah.

10 - - - but what I'm really wanting you to confirm is that, at least as you understood it, the trip was not just Wuai Markets and nothing else, it was also a trip with a view to exploring other potential business opportunities, including a business opportunity for you in relation to a restaurant site. Correct?---Correct.

20 And in relation to the Wuai Markets concept, here effectively we've got a delegation coming from New South Wales just to view the markets and to speak to people, was there a return visit as it were, was there any occasion in which there was some delegation from Liaoning that came to Australia to discuss or do anything regarding the Wuai Trade Centre concept in respect of which you were involved?---Yes, there was, at a function at Parliament House, the delegation came to Parliament House to sign - - -

Do you recall roughly when that was? So your trip to China looks like July of 2012, was it within short order of the July 2012 trip or was it some significant later period?---I actually don't know the time line. I know that we had a function a Parliament House, I don't think we, it wouldn't have been that long, yeah.

30 If I suggested to you that that happened on 30 November, 2012, would that be consistent with your recollection?---Yeah, that would be.

It was at least within a few months of the China trip. Is that right?---Yes, yes, yeah, but - - -

40 Now, what was your involvement in organising the Sydney end of that particular visit?---I was, I organised the, the dining, the luncheon to be held at Parliament House and just organising a room for the set-up of the signing of the memorandum of understanding and I also took photographs while the function was on that had - - -

Which function are you now referring to, the signing ceremony function? ---The signing ceremony.

So just so I understand the order of events, you've referred to a lunch, you've referred to a signing ceremony.---Mmm.

Were there any other events organised in relation to this delegation? ---Yes, they had a meeting with the Premier, Barry O'Farrell.

Ah hmm.---So that would have been, the meeting with the Premier was first, then there would be the signing of the memorandum of understanding and then there was a luncheon.

And is that the extent of the organised activities or was there something else such as a dinner or an afternoon tea or anything like that?---As far as I'm aware, that's as, I didn't do any other organisation for other functions (not transcribable).

10

So, so far as you're aware there were three organised events, the courtesy call with the Premier, Mr O'Farrell.---Ah hmm.

The signing ceremony and the luncheon. Is that right?---Ah hmm.

And so just dealing with those in order, did you have any involvement in the organisation of the courtesy call with the Premier?---Would have organised with the Premier's Office that he is available to, so that would have been organised ahead of time, yes.

20

And so there would have been some liaison and matters of that kind.---Yep, yeah.

The request for the Premier to be involved, is that something that came from you or is that something that would have come from Mr Maguire?---Would have come from Mr Maguire but through me. I would have, I would have sent something for diary I'm sure about - - -

30

And is it fair to say that you probably dealt with matters of protocol and things of that kind?---Yeah.

And just to help you on that last topic, can we go, please, to volume 13A, page 12.

THE COMMISSIONER: There should be a glass there too, Ms Cartwright, if you prefer a glass.---Oh, thank you.

40

MR ROBERTSON: And to hopefully assist refreshing your memory, here's an email from the Assistant Protocol Officer within the Department of Premier and Cabinet to various people including you - - -?---Ah hmm.

- - - confirming the courtesy call. Do you see that there?---Ah hmm.

And is it consistent with your recollection that a courtesy call in fact happened between about 10 o'clock and 10.30 on 30 November, 2012?
---That's correct, yeah.

Did you attend that courtesy call?---To take photographs.

And so if we go in the same bundle, please – and just before I do that, I tender the document which is on the screen, being an email forming part of volume 13A, page 12, from Ms Nahas, N-a-h-a-s, to Ms Cartwright and Ms Zhang, 28 November, 2012, 5.30pm.

THE COMMISSIONER: That will be Exhibit 165.

10 **#EXH-165 – EMAIL NAHAS TO CARTWRIGHT AND ZHANG
DATED 28 NOV 2012 RE COURTESY CALL**

MR ROBERTSON: Now, you'll see, Ms Cartwright, a reference to Lydia Zhang as one of the recipients of that email. Is that the – who is Lydia Zhang?---I can't see anything on the screen. It's come off the screen at the moment.

THE COMMISSIONER: It's gone blank.

20

MR ROBERTSON: We'll put that back on the screen, then. That's entirely my fault. Page 12, volume 13A. See the reference to Lydia Zhang as another recipient?---Yes.

And so is that the Lydia that you were referring to a little while ago?
---That's correct, yeah.

The business partner of Mr Xu?---Yes, yes.

30 And so what was Lydia Zhang's role in this delegation visit on the 30 November, 2012, as you understood it?---Organising the Chinese delegation from their side to come to parliament.

And so she was your main contact, was she, in relation to the Chinese delegation?---I believe, yeah. I - - -

Or more precisely the Liaoning delegation?---Yes, yeah.

40 Now, you referred a moment ago to attending the function and taking some photographs.---Ah hmm.

If we go to page 30 of the bundle, please, and we'll just flick through the next few pages. Keep going again, and keep going again, and keep going again, and keep going and we'll continue right up to page 46 of that bundle. That's the last one in that, sorry, that's the last one in that bundle. Do they look like the photographs that you referred to that you took of the courtesy call?---No. I took photographs on my phone which were the informal photographs that I kept. So they would be, they look like the official

photographs. They could have been some of mine but they look too good for me.

And so is it right to say then that there was some sort of official photographer during that courtesy call?---Yes, there was.

Was that something that you organised or that someone else organised?
---Oh, someone else organised that, yes.

10 Do you know who that was that organised that?---No, I don't know who organised that?

Was there any expenses involved in the courtesy call we were just referring to? Was it necessary to pay for any room set-up or anything of that kind?
---There was a payment for the lunch, the luncheon.

I'll come back to the lunch but just focusing on the courtesy call, that took place in the Premier's boardroom, is that right?---Premier's boardroom and then there would be another meeting room with the memorandum of
20 understanding that had been signed, but there, there wouldn't be any charges with that because - - -

I'll come back to the memorandum of understanding. I just want to focus on the courtesy call first. First of all were there any expenses of which you are aware associated with that courtesy call? Presumably not, it was in the Premier's boardroom.---Not that I'm aware, no.

And things are set up, as it were?---Ah hmm.

30 So there was no bill issued from the parliament to Mr Maguire or anyone else so far as you're aware- - -?---Not that I'm aware, no.

- - - in relation to that courtesy call, correct?---Not, yeah.

So far as you're aware, did Mr Maguire or anyone associated with Mr Maguire charge any fee to anyone in relation to the courtesy call with the Premier?---Not that I'm aware, no.

40 It would be a fairly unusual thing to do, I suspect you would accept, to organise a meeting with the Premier and then seek to charge some fee in relation to that?---That's correct, yeah.

And are you saying you don't have any knowledge of any attempt, be it by Mr Maguire or anyone else, to charge the Liaoning delegation or anyone associated with the Liaoning delegation a fee for setting up that meeting or courtesy call with the Premier?---Not that I'm aware, no.

No knowledge of anything of that kind at all?---Not that I'm aware.

The next event, as I understand what you're saying, was the signing ceremony?---Correct.

And before I go to that, I should tender the bundle of photographs, pages 33 to 45, volume 13A, public inquiry brief.

THE COMMISSIONER: That will be Exhibit 166

10

#EXH-166 – PHOTOGRAPHS FROM MEET AND GREET WITH PREMIER O'FARRELL ON 30 NOV 2012

MR ROBERTSON: Now, the signing ceremony itself did not take place in the Premier's boardroom, I take it?---No, that didn't - - -

It took place in another room within Parliament House, is that right?

---Another room, yeah. That's correct.

20

Who arranged to book that room, do you know?---That would have been, I'm pretty sure I would have booked the room.

And to book a room in Parliament House, if organised through a member of parliament, is there some fee that's charged from Parliamentary Services or is that something that one is entitled to as a matter of course?---There's not a, there's not a fee if a member is booking.

30

Now, in terms of the set-up of the room and the like, did you have any involvement in that?---Not really. They, they had brought their own banners to the room so, and that, so the - - -

So when you say they, who are you referring to?---Lydia. Lydia would have brought the banners to the room I believe.

So if we just have a look, please, at volume 13A, page 24. Does that look like a photograph of the room set-up for the signing ceremony that you've been drawing to our attention?---Yes.

40

And do we take it from what you said before that it was the Chinese end that brought along the sign, the blue sign that we can see at the back?---That's correct, yeah.

And who would have been responsible for setting up the room generally, putting the seats there, the flowers, et cetera, et cetera?---The attendants in the parliament, because I've booked the room so they would have put the table together. We'd have asked them to set it up with a tablecloth and some flowers.

I take it as part of the booking process you say we want this particular room, this is how we want the room set up, et cetera, et cetera.?---Correct, yeah.

10 And is it right that the member of parliament doesn't get charged a specific fee for that, that's something that the member of parliament is entitled to as part of their office?---The flowers might have been brought in because they wouldn't have provided flowers unless there was any flowers at parliament that could have been moved from somewhere to another, which (not transcribable).

So at least the room set-up, putting aside the sign and the flowers, that's something that happens in effect as a course and not billed to the member. Is that right?---Correct.

Anything over and above that is something that needs to be brought in from outside?---Brought in from, yes, that's correct, yeah, yeah.

20 Brought in from outside such as the banners, things of that kind?---Yes, that's correct, yeah.

And is it right to say your recollection is that everything that falls in that second category was dealt with at the Chinese end and not dealt with out of Mr Maguire's office?---Correct.

30 Do you recall whether Mr Maguire or anyone associated with him sought to charge any fee to anyone on the Chinese side in relation to room set-up and matters of that kind for the signing ceremony?---I'm not aware of any fee. I'm not aware of any fee, no.

You're not aware of any fee being charged or attempted to be charged in relation to that matter?---No.

Then the next event that you mentioned before was a lunch. Is that right? ---That's correct.

And was that a lunch that you organised?---Yes, I would have organised that.

40 And so that involves, I take it, speaking to parliamentary catering and giving instructions as to how many people, what room, matters of that kind? ---Correct.

And just to try and assist you with your recollection, can we go to page 91 of volume 13A, and just for the benefit of those following along, the last photo I showed formed part of Exhibit 166. I take it you've seen documents like the one on the screen - - ?---Correct.

- - - on many occasions - - -?---Yes, I have.

- - - as far as an event order?---Yes.

And so I take it, it was you who made the order that ultimately led to this event order document being issued?---Yes.

10 And so I take it, then, that effectively you've spoken to parliamentary catering and said these are the number of people we need, we want to book the President's Dining Room, et cetera, et cetera, and they issue an event order confirming the position?---That's correct.

And if you then just turn the page, you'll see there a total figure of 1,869 for that particular event.---That's correct, yep.

Now, for this particular event, so far as you're aware, was that 1,869 paid? ---Yes, it was paid, but the luncheon kind of didn't go ahead because the Premier was supposed to be at the luncheon but he didn't stay for the luncheon.

20

Was the Premier supposed to be at the luncheon or - - -?---I, well, I, he - - -

- - - did the Chinese delegation hope or expect him to be?---No, I think originally he was going to be at the luncheon but then he had something else to do. That's my understanding, my recollection that he was going to be at the luncheon but then he had a different, something else to do.

So you're saying that the luncheon didn't ultimately take place?---No, it didn't take place.

30

Who cancelled it, was it the Australian side or the Chinese side or - - -? ---The Chinese side.

How do you know that it was the Chinese side?---They left and didn't stay for the luncheon. The luncheon was there and they didn't, they didn't turn up to it.

40

Did they communicate to you, either directly or through Mr Maguire, as to why they didn't want to attend the luncheon?---Because the Premier wasn't there.

So in effect they were expecting that the Premier would be in attendance at the luncheon. He wasn't, and so they then decided not to attend the luncheon, is that right?---Correct.

So they, as you understood it, they were annoyed.---Yes.

They thought that they were coming to have a more fulsome discussion or meeting with the Premier.---Correct.

That ultimately didn't happen.---Ah hmm.

And they said, well, we're not going to be involved, see you later.---That's correct.

10 Do you know what they ended up doing? Did they all just go home or did something else happen?---No, I believe they went on a cruise around the harbour.

Is that something that Mr Maguire's office had any involvement in or is that something that just was dealt with at the Chinese end?---No, we didn't have involvement in.

I was referring you to the price of 1,869.---Ah hmm.

20 Did that amount of money, was that amount of money paid?---It was.

Who was it paid by?---Lydia.

How was it paid?---By cash.

When did that happen?---A little bit after the event. Because they, because they hadn't turned up for the luncheon, I think Lydia thought that it wasn't something that they needed to pay for.

30 When you say "a little bit after the event", do you mean on the same day or do you mean some number of days afterwards?---No, not on the same day. It was after the event.

And I think you said it was paid in cash, is that right?---That's correct.

40 And how do the mechanics of that work? Presumably she can't just come in off the street and pay.---No, she came, I met with her, she paid, and I, we both went to the Finance Department and paid the bill because it would have been on Daryl Maguire's account. And so, and that was paid off to pay off Daryl Maguire's account, house committee account.

So is it right that she made contact with you after the event, or perhaps you made contact with her after the event.---I made contact with her, yes.

So, what, you said, "There's a luncheon that's gone against Mr Maguire's account."---Correct.

"You guys should be paying. Your end should be paying."---Yes.

So was that agreed in advance, was it, that the Chinese side of the delegation should be paying for the lunch, rather than the Australian side?
---I believe so, yep.

When you say you believe so, you believe so based on what?---I, I, well, most of the, a function that's coming for that size would be paid normally by, not by, not necessarily by Daryl Maguire but by the organiser, the organisation.

10 So are you saying - - -?---(not transcribable)

- - - it's the usual practice that when a delegation visits New South Wales, it's the delegation itself that will pay for it, as opposed to the New South Wales end paying for it?---It, it depends. It depends.

It depends on the particular occasion?---Yes, it does, yes.

Was Ms Zhang a diplomat or consul or anything of that kind, as you understood it?---That's Lydia, is it?

20

Yes, Lydia.---No.

Was she involved in government in the People's Republic of China in any particular office?---Not that I'm aware of, no.

Or was she, as you understood it, more in the nature of a commercial person in business with Mr Xu?---More, just, yeah, with Mr Xu. I don't really know exactly what she did.

30 So why, as you understood it, was Ms Zhang – a commercial person rather than a government person – paying for a delegation that was constituted by government officials such as the Secretary of Liaoning Province?---I, she was part of the, part of the person that organised it. I didn't, she could have been - - -

Is it right that it's – I'm sorry.--- - - - she could have been a secretary or, I, I've dealt with lots of - - -

40 So is it right that, as you understood it, both Mr Xu and Ms Zhang stood to gain financially in the event that the Wuai Trade Centre in Wagga ended up coming off? Is that what you understood the position to be?---I, I didn't, I, I don't, I, I don't know.

But what I'm trying to understand is, why is it that the commercial people on the Liaoning side, why are they paying for this function rather than either New South Wales or someone associated with New South Wales or the Liaoning delegation itself? Can you offer any insight into that?---No, I can't. I'm sorry, I don't know.

So you chase up Ms Zhang and, in effect, say, “Well, there’s a bill that is owing. It’s gone on to Mr Maguire’s account. You need to come to pay for it. We organised the luncheon, even though you didn’t turn up.” That’s the effect of what you communicated with Ms Zhang.---Yep.

And, what, you make arrangements with her to come in in order to pay that bill?---Yes.

10 And she comes in with cash in order to pay that bill, is that right?---(No Audible Reply)

THE COMMISSIONER: You’ve got to answer.

THE WITNESS: Yes, I, sorry, yes. Yes.

MR ROBERTSON: And you take her up to Parliamentary Services in order to, or perhaps to catering in order to pay that bill.---Yes, I did.

20 Now, are you quite sure that the total amount that she paid was the amount of the invoice, which by the looks of it is 1,869, rather than some other higher or different figure?---When I took her up to pay, that she paid for that account only.

Paid for that specific account?---Yes.

Not a penny more, not a penny less.---No.

30 And she was in the office, in the catering office or the appropriate office, actually paying - - -?---In the appropriate office, yep.

- - - the money off, not just giving you the money in order to - - -?---No, no, no. She, she paid - - -

- - - take it away.---? - - - the money directly. I was just with her, yeah.

To your knowledge is that the only money that changed hands from Ms Zhang or Mr Xu in connection with the 30 November, 2012 event?---To my knowledge, yes.

40 That’s the only piece of money at all?---Ah hmm.

There wasn’t some other amount of money that was paid to your knowledge which then had to be refunded?---Not that I’m aware.

Do you recall ever giving any cash back to Ms Zhang in connection with the November 2012 event?---I don’t recall, no.

Before I move off it, I tender the document titled Event Order, Chinese Delegation President's Dining Room, 30 November, 2012, at page 91 and 92, volume 13A public inquiry brief.

THE COMMISSIONER: That will be Exhibit 167.

#EXH-167 – EVENT ORDER FOR CHINESE DELEGATION IN PRESIDENTS DINING ROOM ON 30 NOV 2012

10

MR ROBERTSON: I'm sorry, page 93 should form part of that tender.

THE COMMISSIONER: Very well.

MR ROBERTSON: Can we go, please, to page 95 of volume 13A. And this is an email chain so we're going to have to start from the bottom and move up, and I want to just give you some context first. So if you have a look at the email at the bottom, it's an email from Ms Hatton to Mr Elliott and also to an email address called nicole@g8wayinternational.com.au, and it says, "Copy of invoice for dinner \$1,000." Do you see that there?---Yes, I do.

20

Now, you're not a recipient of this email, but just to give you the context, the invoice for dinner that appears to have been attached is the one at page 19 of this bundle. If we can just go to that so I can show you that by way of context. So do you see there what seems to be a draft invoice?---Yes.

30

"Meeting with the Secretary of Liaoning Province, 30 November." It says, "People's Republic of China – dinner." Do you see that there?---Yes, I see that, yeah.

Now, do you have any recollection of whether a dinner was ever arranged or at least contemplated in relation to the secretary of Liaoning Province on 30 November, which is the same day as the courtesy call with the Premier and the cancelled luncheon?---I don't recall the dinner, no.

40

You don't have any recollection of either a dinner being contemplated or organised or anything of that kind?---No, I don't have a recollection of a dinner, no.

If we can go back to page 93, please, which is where we started this particular exercise. Sorry, 95 I should say. Just the next email up, and this is American dating, 29 November, from Mr Elliott. "Perfect. The only thing we need to do is include an address of the payer." And then if we go back to the preceding page, unfortunately the email crosses across two pages, but this is an email from Ms Hatton to Phil. It says, "Remember last

week we had a payment of \$1,000 for the China dinner.” Do you see that there?---Yes.

Do you have any recollection of a payment of \$1,000 for the China dinner?
---No, I don't have any recollection.

10 And in fairness to you, this is not an email that appears to have been sent to you, but note that Ms Hatton says, “I banked the funds into the G8way bank account on Friday a.m.” Do you see that towards the bottom, just on the bottom of the screen?---Yep.

And we'll jump back to the next page, page 95, so you can see the end of that email. “The women,” which presumably means woman, “Is now wanting her money refunded. How is the best way to handle this?” Do you see that there?---Yes.

20 Now sorry to keep flicking between pages, but regretfully this is how email chains often work. Nicole then says, “Just had a chat to Rebecca.”---Ah
hmm.

THE COMMISSIONER: Mr Elliott's saying that.

MR ROBERTSON: Sorry, Mr Elliott says to Nicole, “Just had a chat to Rebecca. I can transfer to the lady's account if she wants cash,” et cetera. Do you see that there?---Yes, I do.

Does that refresh your memory as to a chat that you had with Ms Hatton regarding this issue of \$1,000?---No, it doesn't.

30 Go up a little bit further. This is now an email from you to Mr Elliott and to Ms Hatton. “The lady wants cash, of course.” Do we take it that's a reference to Ms Zhang, the lady that's being referred to?---I would assume so.

And then you say, “You can pay into my account.” We've taken out your account details.---Ah hmm.

40 But it says, “Name of account, Rebecca Cartwright.” Do you see that there?---Yes.

So does that refresh your memory that some money was transferred to you, indeed \$1,000 was transferred to you with a view to refunding it to Ms Zhang?---I see that, but I don't remember.

You don't have a recollection of that course of events taking place?---I don't have a, a, no, I don't.

You would have seen on that email chain there was a reference to, for example, nicole@g8wayinternational.com.au.---Ah hmm.

And also reference to Mr Phil Elliott as well. What did Mr Elliott and G8way International have to do with the Liaoning delegation that attended on 13 November, 2012?---I wouldn't be a hundred per cent sure what, apart from the Wagga Trade Centre, then, or - - -

10 Well, what was G8way International as you understood it as at November and December of 2012?---They got business, Australian or Chinese businesspeople to connect to sell and buy produce.

And so is the idea that they're seeking to connect Australian people with Chinese people and make a profit along the way, is that the idea? As you understood it.---What I understood, yep.

What was Mr Elliott's role in that organisation, as you understood it?---He, he was part of the, the company. Well, he was the, the company.

20 What was Ms Hatton's role in that company, as you understood it?---I understood she did some work for them.

What kind of work, as you understood it?---I'm not a hundred per cent what work she did with them.

What was Mr Maguire's role in that company, as you understood it?---That he was a friend of Phil Elliott. He would advise Phil Elliott.

30 It was more than just advice, wasn't it? Mr Maguire, to your knowledge, was very closely involved in the activities of G8way International, correct? ---He'd, he, well, he was close friends with, with Phil Elliott and it was, I, I don't really know his actual involvement with it, apart from the fact that he was involved with Phil Elliott.

I'm suggesting to you that you knew a little bit more than that, that you knew that Mr Maguire was closely involved in G8way International. Do you agree?---He, yes, he was, he was involved but I don't know what his involvement was.

40 Well, he was involved in such a way that he was seeking, ultimately, to share in some profits of G8way International. Do you agree?---Yes, I agree.

You came to know that through your association and dealings with Mr Maguire as one of his employees, correct?---I just, I knew that he was involved with Phil Elliott. I don't, I really don't know much more about what, how involved he was.

Well, what I'm suggesting to you is that you knew it was more than just a friendship association helping out a mate. You knew that Mr Maguire was intimately involved in the G8way International business, correct?---I didn't know if he was intimately involved. He was - - -

Well, how would you put it, then? At least closely involved?---He was closely involved with being a close friend with Phil and, but - - -

10 But what I'm suggesting to you, that it was more than mere friendship, as you understood the position. Mr Maguire was closely involved in G8way International in such a way that he was seeking to make profits out of it, do you agree?---I, I, no, I don't, I don't know how close he was with it. He was - - -

Do you at least know, or at least as you understood it, G8way International was a vehicle through which Mr Maguire was seeking to make some profits for himself?---I would assume he wanted to make profits for himself, yes.

20 And you provided some assistance to Mr Maguire in relation to that endeavour, do you agree?---Well, I, no, I don't think I - - -

Well, you provided at least some administrative support in relation to the G8way International business, do you agree?---I helped Phillip Elliott out with collecting visas for him once, I think once.

30 And I take it you didn't have – I withdraw that. Why did you help Phillip Elliott out in relation to that matter?---I offered, I knew him through obviously Daryl as a friend. He, I said if he needed, like just a throwaway, "If you need any help in Sydney," not to do with G8way, just to do with being a friend.

Was Mr Elliott a friend of yours as well?---Well, he was a, more of an acquaintance at the time, I would, I got on with him. I did get on with him when I met him with Daryl.

On at least one occasion did you provide that kind of assistance while you were physically in Parliament House?---Collecting visas, sorry, what do you - - -

40 Well, any assistance that you provided to either Mr Elliott or G8way International, did you ever provide that assistance when you were physically in Parliament House?---When I have collected visa for Phil Elliott, it will have been on a non-sitting week, in which case my hours are a bit, are a bit more liberal, because I do extremely long hours on sitting days and you have more flexible hours on a non-sitting day. So it would be during my time to collect, I went to pick up the visas.

So what's the answer to my question, then? Did you ever provide any assistance to Mr Elliott or G8way International while you were physically in Parliament House?---Not, I was in Parliament House, yes.

Did you ever use your Parliament House email address in association with G8way International business?---Not that I'm aware of, no.

Are you sure about that?---I'm not sure about that but I'm - - -

10 Did you have any involvement in invoicing on behalf of G8way International in relation to the Liaoning delegation that attended on 30 November, 2012, that you and I discussed a little while ago?---Sorry, say that again?

Did you have any involvement in the issuing or preparation of any invoices on G8way International letterhead in relation to the delegation from Liaoning, 30 November, 2012, that you and I discussed?---Not that I'm aware of, no.

20 Not that you recall sitting there now, is that what you're saying?---Yeah, yeah.

Can we go please to volume 8, page 4. Now, this is an email from nicole@g8wayinternational.com.au to your Parliament House email address, 30 November, 2012. Do you see that there?---Ah hmm. Yep.

30 So to help get your bearings, 30 November is the date that we're talking about the courtesy call with the Premier, 10.33am. Seems to be about the time that that courtesy call was scheduled to be finished, at least according to one of the documents that you and I discussed a little while ago. Can you see that Ms Hatton says, "Here is the G8way letterhead for you to keep on file." Do you see that there?---Yes, I do.

And if we then just turn the page so you see the letterhead. I take it you've seen a letterhead that looks like that one before?---Yes, I have. Yep.

40 Why, as you understood it, was Ms Hatton sending you the G8way letterhead to keep on file in case Daryl needs something send out?---I'm not 100 per cent sure but just to keep, keep, keep the letterhead on file so Daryl could use it.

Well, why did that have anything to do with you and your duties as an employee of a member of parliament?---I didn't have any duties with my employment at parliament, no.

G8way International was in the nature of a consultancy business as you understood it as at November of 2012. Correct?---Correct, yeah.

You knew, because you've accepted this this morning, that it wouldn't have been appropriate for you to assist a member of parliament with their private business duties. Correct?---Correct.

Well, in response to this email did you say to Nicole, "Thanks very much for that but I'm not allowed to be involved in private business activities of an MP?"---No, I did not.

Why not?---I obviously didn't think about it at the time.

10

Did Mr Maguire ever say anything to you about whether he thought it was appropriate for you to be assisting him in relation to anything to do with G8way International or Mr Phil Elliott?---Sorry, can you say that again? Did he - - -

Did Mr Maguire ever say to you that please help with G8way International things, or you're welcome to use your parliamentary time to assist Mr Elliott?---No, he did not.

20 Any communications of that kind?---No.

So why did you think it was appropriate to be receiving G8way letterheads to keep on file for potential use in circumstances where you said before that's not an appropriate part of your role and where you seem to be saying Mr Maguire didn't tell you otherwise?---I can't tell you why I did that. I kept it on file. I don't know why.

Well, it was more than just keeping it on file, wasn't it, you in fact used that letterhead from time to time on instructions of Mr Maguire or on
30 instructions of others associated with G8way International. Correct?---I don't recall using the letterhead myself, no.

Do you recall ever putting an invoice, a draft invoice on a letterhead of the kind that we saw?---I don't recall, no.

Can I help you this way. Can we go, please, to volume 13A, page 87, and while that's coming up I tender the email from
nicole@g8wayinternational.com.au to Ms Cartwright, 30 November, 2012,
10.33am, volume 8, page 4 to 5.

40

THE COMMISSIONER: That will be Exhibit 168.

#EXH-168 – EMAIL HATTON TO CARTWRIGHT DATED 30 NOV 2012 RE LETTERHEAD FOR G8WAY

MR ROBERTSON: Now, do you see there an email from Ms Hatton to you, we're now a few minutes later from the previous email, 30 November, 2012, "Can you print this on the letterhead I've emailed you, it fits perfectly on the template." Do you see that there?---Yes, I do.

And so does that jog your memory that on 30 November you complied with Ms Hatton's suggestion of using the letterhead and putting an invoice on it? ---I can see it. I can't remember doing, I can't remember printing that on that day, but yes.

10

Well, do you have any recollection of going back to Ms Hatton and saying, "Thanks for the request but" - - -?---No.

- - - "I can't do it, it's not an appropriate thing to do?" Anything like that? ---No, I did not.

And is it a fair assumption for the Commission to make that a request of this kind on 30 November, you would have complied with that request, you would have done what Ms Hatton was asking you to?---Yes.

20

Do you recall whether Ms Hatton was working in Parliament House on 30 November, 2012, the day of the Liaoning delegation?---I don't recall her being in on that day, no.

You don't know either way or - - -?---I don't remember her being there that day.

So you certainly have a recollection in your mind of being involved in some of the Liaoning delegation events?---Yeah.

30

The courtesy call, the cancelled luncheon, the signing ceremony, et cetera? ---Ah hmm. Yep.

And you don't have a specific recollection of seeing Ms Hatton during the course of that day?---No, I don't believe she was there. She, I don't.

Your best recollection is she wasn't there on the day?---Yes.

40 And do you have a recollection or not have a recollection of whether you printed anything on a G8way International letterhead in connection with the 30 November event?---I don't have a recollection of printing it, no.

If we go back to that document, page 87, and we'll turn to the attachment, page 88. Have you seen an invoice that looks like this one before?

---I have seen an invoice yes, yeah, but - - -

Have you seen one that had a fee for something like function preparation and room set-up, decoration and associated activity?---I don't remember

what would have been on the, on the form. I've, I've, I've seen one but I don't know what would be on it.

Well, are you able to explain why Ms Hatton would want a tax invoice to be issued by G8way International in relation to function preparation and room set-up, decoration and associated activity in circumstances where you explained to us earlier that, at least at the Sydney end, there was no costs in relation to those matters?---I, I don't know why. I don't - - -

10 Did you ask Ms Hatton, did you say, well, why is someone trying to charge for this stuff given that the parliament doesn't charge for room set-up?---No, I didn't.

Why not?---I can't recall why not, not back then, no.

Do you see there there's a reference to the Shenhe District, S-h-e-n-h-e, and to a Mr Jin, J-i-n. Do you see that there?---Yeah.

20 Do you know who Mr Jin is?---I don't recall him, no.

And can we then go to page 97 of that bundle, the very last page of that particular bundle. Now, here's an email from Ms Zhang to your email address, Parliament House email address, 1 October, 2013, "Would you please forward the receipt to me which we paid for the function while the delegation visited Sydney for the Wuai project." Do you see that there? ---Yes, I do.

30 Now, do you recall whether you provided such a receipt in response to Ms Zhang's request?---I don't recall, no.

What did you understand her request to be, a receipt for paying for which function, which of the various functions that you and I have discussed today?---My recollection would be the receipt of the payment for the luncheon for the - - -

The slightly less than \$2,000 figure that you and I discussed before?---Yep.

That's your best recollection sitting there now?---Yes.

40 Now, in terms of any receipting, was there a receipt issued by anyone so far as you can recall? And if so, by who?---Was there?

A receipt for that amount of money. I think you explained that Ms Zhang came up with cash, came into Parliament House, went up to the appropriate people to pay and paid, as it were, Mr Maguire's bill in full. Have I got that right?---That's correct.

Paid it in cash?---Ah hmm.

Was any receipt provided at the parliament end or perhaps at Mr Maguire's office end in relation to that?---I'm not 100 per cent sure if a receipt was because I think they had written receipts at that time and then they would have done an official receipt. So she might have had a paper receipt and then they would have got a parliamentary receipt.

10 Is it right you have a recollection of, after the money has been handed over, there was a handwritten receipt of some sort handed over?---I believe, yeah.

Do you recall who took that? Did you take that or did Ms Zhang take that, can you remember?---I don't, I don't recall. I would assume Ms Zhang took that one, yeah.

And are you saying that, as a matter of practice, at least at that point in time in 2012 or 2013, the Parliamentary Services would ultimately issue a more official looking invoice?---I think so, yes.

20 And would that be issued to the member of parliament or be issued in some other way?---It could be issued to either depending who's the contact, but I was the contact on that one so I would assume it would come to me.

Do you have a recollection of actually receiving that receipt?---No, I don't have a recollection but my name is on as a contact so the receipt would be - - -

So at least as a matter of practice it would ordinarily come through to you? ---Yeah, it would come me, yeah.

30 And do you have a recollection of then forwarding that on to Ms Zhang?---I, I don't have a recollection but I would have thought I would have, yeah.

So you've seen the email that's on the screen but you don't have a specific recollection of anything that you did in response to that particular email. Is that a fair statement?---No, not, not back then, no.

You made reference a little while ago to photographs that you took I think during both the courtesy call and the signing ceremony. Is that right?---Yes.

40 But is it right that there was an, was there an official photographer during the courtesy call?---There was an official photographer.

And that was organised at which end? At the Sydney end or at the external end?---I believe, I, the - - -

At the Liaoning end?---Yep. Yes.

Perhaps by Ms Zhang or someone at least associated with the delegation?
---Yes. Ah hmm. Mmm.

What about in relation to the signing ceremony itself, do you recall?---There was cameras there but I can't remember if there was cameras from Wagga Wagga as well. Potentially there could have been cameras from Wagga Wagga.

10 But one way or another, as you understood it, Mr Maguire's office end didn't organise any official photography?---Not that I'm aware, no.

But you took some photographs on your mobile telephone, I take it?
---Phone. Yes.

Do you still have those photographs, by the way?---They'll be on my computer, yeah.

20 So they haven't been deleted? They're still accessible to you in some way, is that right?---They're still there. Yep.

In relation to G8way International more generally, jumping back to something we were discussing before, and in relation to business activities of Mr Maguire, do you accept that, on multiple occasions, you assisted Mr Maguire in relation to business deals that Mr Maguire sought to achieve?
---Sorry, say that again.

30 Do you agree that, during the time in which you've worked in Parliament House, you have assisted Mr Maguire in attempts by him to cause business opportunities to arise for his own benefit?---Not that I'm aware of. I - - -

Well, when you say not that you're aware of, what do you mean by that?
---I've been given duties or emails to, to do, but I don't know if they were business-related.

So from time to time you have done tasks on Mr Maguire's instructions, is that right?---Yes.

40 That's happened both when you were working for him in the whip's office, but also after he ceased to be Government Whip, is that right?---Possibly, but, yeah.

Well, for example, you referred to visas before.---Yes.

On at least one occasion you assisted Mr Maguire, or people associated with him, in relation to visas.---I assisted, yeah.

After Mr Maguire was no longer the Government Whip, is that right?
---Correct.

Do you agree that you've provided some assistance in relation to G8way International activities during the time in which you've been employed in the whip's office?---I don't know if I assisted with G8way during my time in the whip's office.

10 Do you agree, at least with the benefit of hindsight, it's clear to you that at least some of the things you were asked to do by Mr Maguire, and that you in fact did, were for the purposes of him attempting to make his own personal profits, rather than him simply acting as a member of parliament in the interests of his electorate or the community more generally?---I did do emails that was out of the realms of the Government Whip's office.

So does that mean the answer to my question is yes?---Yes.

Is that a convenient time?

20 THE COMMISSIONER: We're going to take a 15-minute adjournment for morning tea now, Ms Cartwright.---Ah hmm.

Please return after 15 minutes.---I will.

I'll now adjourn.

SHORT ADJOURNMENT

[11.33am]

30 THE COMMISSIONER: You're bound by your affirmation, Ms Cartwright.

MR ROBERTSON: Ms Cartwright, I'm right in understanding, aren't I, that when you've worked in the whip's office, you've worked on a full-time basis?---That's correct.

And in a practical sense, that often involves very long days when parliament is sitting, is that right?---Correct.

40 And so the duties as a member within the whip's office will usually encompass, at least in sitting weeks, being in or around Parliament House throughout the period of time in which the Legislative Assembly is sitting, correct?---Correct.

Because part of the whip's job, of course, is to assist the party in relation to various matters, including making sure people turn up to quorum calls, divisions, things of that kind, is that right?---That's correct.

Now, given that during sitting weeks that might involve working more than ordinary full-time hours, are there arrangements in terms of taking time off in lieu and matters of that kind?---It's, you do shorter hours, so you come in later one day or, yeah, so just do shorter hours the following week.

And so is there a formal record of that?---No.

10 There's a sitting week this week, but next week I'm going to come in at midday because I was working till midnight?---I would just let the, the whip know (not transcribable)

You'd let the whip know.---Yeah.

But without necessarily keeping a formal record in relation to that matter? ---There's no, yeah, there's no, no.

And does it work by way of accruing leave or anything of that kind? Or is it more dealt with in a more informal fashion?---Informal, yep.

20 Sitting weeks, you're there for a long period of time. Non-sitting weeks, there might be less work and therefore you might need to be there for a less period of time?---Correct.

I just want to be clear about this proposition. Do you agree that, on at least one occasion, you did work to assist Mr Maguire in relation to his private business interests?---Possible, I don't recall. I, I - - -

Well, let me help you this way.---Yes. To what specific - - -

30 Can we go to the bundle, please.---Yep.

I'm going to take you through a series of examples and then I'm going to put the question that I've just asked you to you again for your comment. So page 84 of the bundle. While that's coming up, have you heard of a company referred to as Maguire Trading?---I've heard of the company, yes.

What's Maguire Trading?---I don't exactly know what Maguire Trading is, but I have heard of the company.

40 Well, shall we take it that the Maguire, as you understood it, is associated with Mr Maguire?---Daryl Maguire, yeah. But, yeah.

And do you understand that to be a private company associated with Daryl Maguire?---Correct, yep.

Did you ever provide any assistance to Mr Maguire in relation to Maguire Trading?---Not that I recall, no.

Page 84 of the bundle, please. Now, here's an email from Mr Maguire to you. 2 December, 2011, so we're going back in time.---Wow.

"Can you print two copies in colour, ready for signing?" Do you see that there?---Yes.

And let's then go to the attachment. The attachment is on page 88. Do you see there an agent shipping contract between various individuals and Maguire Trading Pty Ltd?---I do.

10

Let's go back one page. So back one page to page 87. And do you see there a space for Daryl Maguire to sign as Maguire Trading?---I do.

Now, does that refresh your memory that, on at least one occasion, you performed a task for the benefit of business interests, prior businesses interests associated with Mr Maguire, that is to say, to print colour copies of the document that you can currently see on the screen?---Yes. I see it. I, I don't recall actually printing that but, yes, he would have asked me to print something and I would have printed it, yes.

20

But having looked at the emails, do you now accept that on at least one occasion you assisted Mr Maguire with his private business interests?---Yes, I accept that. Yes.

And we see an example of such an occasion with the document that I have just shown you on the screen, correct?---Correct, yes.

Commissioner, I tender the email from Mr Maguire to Ms Cartwright, 2 September, 2011, 8.49am, pages 84 through to 88 of what I've described as the bundle.

30

THE COMMISSIONER: Yes. That will be Exhibit 169.

#EXH-169 – EMAIL MAGUIRE TO CARTWRIGHT DATED 2 SEP 2011 RE TNT TRACKING NUMBER

MR ROBERTSON: Do you accept that on at least one occasion, whilst you've been employed within the parliament, you performed tasks for the benefit of the private business interests of G8way International Pty Ltd?---I don't recall but I believe that I would have printed something, yeah.

40

You believe you would have?---Well, I, I don't recall printing but I printed a lot of, lots of things. So I - - -

But it's more than just printing, isn't it?---Or emailed, I mean, I, yes, yes.

I've given you an example of printing, but really what I want to suggest to you, and I'll show you a series of examples, but what I want to suggest to you is that on multiple occasions you have been involved in various activities to benefit the private business interests of Mr Maguire and/or G8way International Pty Ltd.---Okay.

Do you accept that proposition?---Yes. I accept that proposition, yep.

10 Now, just by way of an example, and I'll just get you to move a little bit closer to the microphone, I'm sorry. Someone's typing all of this out and needs to hear what you and I are both saying.---Yeah, sorry, yep. Ah hmm.

Let's go to page 94 of the bundle. So we're now moving forward in time to May 2012. So this is before you've been to China on the Wuai trip, before you looked into whether you want to be a restaurateur somewhere in the People's Republic of China and before the visit of the Liaoning delegation that you and I discussed this morning.---Yes.

20 Now, you see there you're sending an email to Du Wei from your Parliament House email address?---Yes.

Now, we discussed Du Wei this morning. Is it right that you, so far as you can recall, you haven't met Du Wei before?---I, I don't believe I have met him, no.

Why were you emailing Du Wei then in May of 2012?---On the request of Daryl Maguire. I, I don't know why I was emailing him.

30 Do you say that on each and every occasion that you did tasks associated with the private business interests of Mr Maguire or the private business interests of G8way International Pty Ltd, you did that on the instructions of Mr Maguire?---That's correct.

Do you agree that some of those tasks happened after you ceased to work for Mr Maguire directly but remained employed by the whip's office? ---That's correct.

40 Can you assist as to why you would be emailing the CVs of Mr McLaren and Mr Elliott on 4 May, 2012?---I cannot remember why, apart from being requested to send it. It would be to do with the trip and, or was, was that before the trip?

That was before the trip, so May of 2012 and I think your trip was in July of 2012.---So that will be for the trip then, yeah.

But what legitimate activity could this email be associated with in relation to parliamentary activities, or do you agree that sending Mr McLaren and Mr Elliott's CVs at least must have had something to do with private

business interests rather than what I might describe as parliamentary business?---Yes. I, yeah, it could be, could probably - - -

So are you agreeing that you're not able to identify any reason - - -?---Yep.

- - - other than private business interests of - - -?---Correct.

- - - Mr McLaren, Mr Elliott and perhaps some entities associated with them - - -?---Correct.

10

- - - as to why you would send these CVs off to Mr Du Wei?---Correct.

I tender the email from Ms Cartwright to Du Wei, D-u W-e-i, one word, one hundred, 1-0-0 4 May, 2012, 12.26am, bundle pages 94 through to 103.

THE COMMISSIONER: That will be Exhibit 170.

20 **#EXH-170 – EMAIL CARTWRIGHT TO DU WEI DATED 4 MAY 2012 RE CVS FOR MAGUIRE, MCLAREN AND ELLIOTT**

THE COMMISSIONER: Do you recall, Ms Cartwright, whether you had met Mr Elliott as at the date of that email, 4 May, 2012?---I could have possibly met Mr Elliott before that. He might have come to Parliament House. I met him at Parliament House but I couldn't recall what date they were.

30

Thank you.

MR ROBERTSON: What were the circumstances in which you came to meet Mr Elliott in Parliament House?---He was visiting Daryl, he was working either in town, in, in Sydney and was visiting Daryl.

Do you recall whether that was a social visit or a business visit?---Probably social.

40

Do you recall whether you ever arranged a meeting in Parliament House in relation to Mr Maguire's private business interests or the private business interests of G8way International Pty Ltd?---I'm not aware of actually organising business for either of those, either of those companies, I would have organised meetings but I've not necessarily, I would be under the assumption of parliamentary business, yes.

So from time to time you would have organised meeting for Mr Maguire - - -?---Yep.

- - - in Parliament House as part of your ordinary duties.---Yep.

Correct?---Correct.

But you're not able to exclude the possibility that you were asked to organise a meeting - - -?---Ah hmm.

- - - but it wasn't really about parliamentary business, it was about Mr Maguire's private business interests. Is that right?---That's correct, yeah.

10 Does the product Jetblaster mean anything to you?---Not that, no.

Do you recall whether Mr Maguire had any business interests or concern regarding a product called Jetblaster?---Not that I can remember.

Go to page 124 of the bundle, please. Do you see there there's an email with the subject heading Re Fiji?---Ah hmm.

Now, you know Fiji is a location that Mr Maguire had been to - - -?---Ah
hmm.

20

- - - before during the time in which you were working for him in the whip's office. Correct?---That's correct, yeah.

And do you see there that Mr Maguire – I withdraw that. Your email towards the top says, "Have scanned letter and pamphlet."---Yes.

Just so you can see the document that's attached, let's just turn the page. It says, "Thank you for your enquiry."---Ah hmm.

30 This was addressed to Mr Maguire, "Thank you for your enquiry regarding the possibility of using our self-serve car wash systems for your business set-up in China." Do you see that there?---Yes, I do.

What, as you understood it, was Mr Maguire's business set-up in China?
---I don't recall what the business set-up was. It would have been something that I would have forwarded, but that's - - -

So is this an example of where you've complied with Mr Maguire's instructions to do a particular thing?---Ah hmm. Yes.

40

Looking at it now, I take it you would accept - - -?---Yes.

- - - that it looks like it's associated with Mr Maguire's private business interests?---Correct.

But Mr Maguire didn't necessarily explain to you at the time that that's why he was asking you to send the document?---Correct.

At the time did you have a look at this document and go, hang on, this seems a bit strange, I'm being paid to work for the Government Whip and as part of my duties I'm being asked to send material regarding the possibility of using a self-serve car wash system in China?---I don't recall even sending the email, so it's - - -

You at least agree sitting there now that it seems like a strange thing for - - - ?---Yes.

10 - - - a politician to be doing if the politician is acting in the public interest only and not in their private interest. Do you agree?---I agree.

But are you saying it's not something that was apparent to you at the time because you were simply acting as instructed and doing what Mr Maguire asked?---Yes, that's correct.

I tender the email from Ms Cartwright to Mr Maguire 1 August, 2012, 10.30am, pages 124 through to 126 of the bundle.

20 THE COMMISSIONER: That will be Exhibit 171.

#EXH-171 – EMAIL CARTWRIGHT TO MAGUIRE DATED 1 AUG 2012 RE JETBLASTER

MR ROBERTSON: Do you recall whether you ever had any involvement in potential wine sales to China?---I remember printing wine labels. Yeah, I remember printing wine labels for - - -

30

And what were the circumstances in which you were printing wine labels? ---For I believe wine going to China but I can't remember all of, all the circumstances. I just know that wine - - -

When you say printing wine labels, do you mean - - -?---Well, copying - - -

- - - organising for someone to print them or do you mean actually you - - - ?---There was a copy of wine labels that I printed.

40 THE COMMISSIONER: While you were up in Parliament House?---Yes, while I was at Parliament House.

On a Parliament House printer?---Yeah.

MR ROBERTSON: And so were there facilities available to you within Parliament House that would allow you to print a label in such a way that it can be affixed to a - - -?---No, no, no, no, no. It was just a picture of the labels.

I see. So - - -?---So I wasn't making the labels.

So as it were proposed labels that might be put on bottles of wine?---Yes, yeah.

And what were the circumstances in which you were asked to prepared such labels or print such labels?---Was asked to print these, print the labels.

10 THE COMMISSIONER: By whom?---By Daryl Maguire.

MR ROBERTSON: Can you recall what the labels were to be saying?
---Sorry?

I'm just trying to understand why Mr Maguire would want you to print potential labels for wine bottles. It doesn't sound to me at least like the kind of thing that a member of parliament would ordinarily need to do.---For a guy called Tim that Daryl had met with to deal with wine. Sorry, I just - - -

20 THE COMMISSIONER: I'm sorry, Ms Cartwright, you really have to speak up.---Tim was a friend or acquaintance, business person with Daryl that was going to sell wines in Australia, in China I believe and I remember just printing copies of the, the labels for designs - - -

For his wine?--- - - - the designs for the, just ideas of designs for labels for wine.

Labels to go on the bottles to be sold in China. Was that your understanding?---My understanding, yes, but it was just a, not the actual
30 labels it was just - - -

A mock-up so to speak?---The mock-up, yeah, just to see them. It was like just on an A4 sheet.

Thank you.

MR ROBERTSON: But what did that have to do with Mr Maguire? It seems a bit of a strange thing for a member of the whip's office to be doing, to be printing out potential labels for wine. What was Mr Maguire's
40 association with that matter?---Either he was, I'm not a hundred per cent sure what the association was. I just remember doing, printing up the wine, wine labels.

Well, Mr Maguire was trying to make money out of wine sales. Correct?---I assume so, yes. I don't, I, I don't remember, I just remember printing the labels - - -

At least with the benefit of hindsight - - -?--- - - - for Tim and I met, and I met Tim, I've met him once. He came to the parliament but - - -

At least with the benefit of hindsight, having thought about these kinds of matters, the things that you're involved in in preparation for appearing before the Commission today, you now at least realise, don't you, that one of the things Mr Maguire was asking you to do, or a series of things that Mr Maguire asked you to do, were things to attempt to make personal profits for him?---Correct.

10

That's clear in your mind now?---Yes.

Having looked back to all the various things that you were asked to do and to think about it by way of preparation for giving evidence today. Is that fair? Don't let me put words in your mouth but is that fair summary of how you understand the position?---Yes, it's, some of the jobs that I was doing were certainly not parliamentary work but I, it was for Daryl's benefit to, for, in Daryl's benefit.

20 It's clear - - -

THE COMMISSIONER: On his instructions?---On his instructions, yes, yeah.

MR ROBERTSON: It's clear, at least with the benefit of hindsight, that some of the things that you were asked to do in your parliamentary role were things to suit his own personal private interests rather than the interests of the public more generally. Is that right?---Yes, for private, yes.

30 And one of those areas you'd accept was in relation to wine. Correct? ---Yes.

Mr Maguire was seeking to make money out of potential wine sales to China. Correct?---I, I don't know if he was helping Tim to sell wine or who was selling the actual wine, like I don't know if it Daryl was selling the wine or Tim was selling the wine or who was selling what.

40 Didn't Mr Maguire describe at least some of the wine as being his wine?---I do recall an email that I've been (not transcribable)

So you must have known at the time that Mr Maguire was attempting to sell his wine – in other words, wine in respect of which he might stand to personally benefit – into China, you agree?---He had parliamentary wine that he was took for gifts, which wasn't anything to do with Tim, and I don't know if that was to do with parliamentary wine being taken over or Tim's wine being taken over.

Let me try and help you this way.---Yep.

Let's go to page 139 of the bundle.

THE COMMISSIONER: While that's coming up, Ms Cartwright, do I understand you to say there's some wine available to members of parliament which, what, has Parliament House labels or such?---Correct.

Which they are entitled to use as gifts for - - -?---Correct.

10 - - - matters connected to parliamentary business?---Absolutely, yes.

MR ROBERTSON: That wine I think is served as, of course, in, for example, the Strangers' Dining Room, is that right?---It is served in the Strangers' Dining Room, and you can also buy - - -

But it's often used as gifts to - - -?---Yeah, they come in a gift pack.

If you just have a look at this email on the screen. And if you look at Mr Maguire's email of 28 August, 2012, 11.56am, do you see it says, "When
20 you respond to Mr" – how do I pronounce that surname, C-a-o? You don't recall?---I wouldn't know how to pronounce that surname, no.

"Ask him if he knows someone who will import my wine to Shenyang." Do you see that there?---Yes, I do.

So does that refresh your memory that one of the things that you were asked to do, at least in 2012, is to assist Mr Maguire in attempting to import his wine – in other words, wine in respect of which he might stand to gain personally – into Shenyang?---My assistance would be doing these kind of
30 emails, but I don't, I wasn't involved with actually, I wasn't involved with, with the actual wine. I mean, they were just emails and, that I was asked to send forward.

Just have a look at the email from Mr Maguire, 11.05am. Just read that to yourself. And I want to suggest to you that it wasn't just sending an email here and there. You were more closely involved in the matter of wine sales and, indeed, you were speaking to people about things like how many containers of wine might be able to be taken and things like potential sales of powdered milk and the like.---I vaguely remember speaking to William
40 Chiu.

Well, you agree, don't you, that at least that discussion with William Chiu didn't have anything to do with parliamentary business.---No, that did not, no.

Or the ordinary duties of a member of parliament, correct?---No. Correct.

It had to do with Mr Maguire attempting to make some personal profits, either for himself or for some other entity with which he was associated, do you agree?---Correct. Correct.

And as part of that exercise, just have a look a little bit further down the email chain, looking at, for example, 27 August, 2012, 5.04pm. He was also asking you to set up a meeting in Parliament House. Do you see that there?---Um - - -

10 With Mr Cao. C-a-o.---William Chiu? Mr William Chiu? William Chiu I think.

But also have a look a little bit further down. 5.04pm.---Oh. Yeah.

That's to the other gentleman, suggesting a meeting.---Yes, but I don't remember. I, I don't recall that, that person. Yang. I don't recall Yang.

But is this an example of a possible circumstance in which you organised a meeting in Parliament House - - -?---Ah hmm.

20

- - - that at least in part related to Mr Maguire's personal business interests, rather than his duties as a politician, member of parliament and the other public offices that he held?---Yep. Yes, that would seem, yep.

I tender the email that's on the screen, Ms Cartwright to Mr Maguire, 28 August, 2012, 11.57am, page 139 of the bundle.

THE COMMISSIONER: That will be Exhibit 172.

30

#EXH-172 – EMAIL CARTWRIGHT TO MAGUIRE DATED 28 AUG 2012 RE MEETING BETWEEN MAGUIRE AND CAO YANG

MR ROBERTSON: You mentioned before the morning adjournment some involvement in visas.---Ah hmm.

40 Can you just explain what that involvement was?---I picked up, I took some visas, Australian visas to the Chinese Embassy to get a Chinese visa for Phillip Elliott. Not for him but for someone else, on his behalf.

THE COMMISSIONER: Do you mean you took some passports?---Yes. On Phillip Elliott's behalf, I took two passports for a, a trip to China.

MR ROBERTSON: So was one of those passports Mr Elliott's, is that what you're saying?---No.

No. Who were the passports for?---I can't remember the names of who they were for.

And so just to be clear, you picked up some visas from the consulate?---Was sent, no, Phillip Elliott sent me the visas - - -

THE COMMISSIONER: The passports?---The passports, sorry. I took the passport to the embassy and collected the passports from the embassy.

10 MR ROBERTSON: And so the passports had to be presented to the consulate with a view to having the visa formally affixed to the passport, is that the idea?---Yes, yes.

And I take it that there was a fee for that?---There was a fee for that, yes.

And who paid that fee?---I paid that fee initially.

Were you reimbursed for that?---I was reimbursed for that.

20 Were you reimbursed the precise amount that was paid or were you reimbursed some larger figure?---I was reimbursed a larger figure.

And did you keep that larger figure?---Yes, I did keep that larger figure.

Who were you reimbursed by?---G8way.

THE COMMISSIONER: By whom?---G8way.

30 MR ROBERTSON: And so this was something that Mr Elliott asked you to do, is that right?---Yes. I believe it was Mr Elliott, yep.

It wasn't something Mr Maguire asked you to do directly?---No. It wasn't Mr Maguire.

But did Mr Maguire make it clear that he was happy for you to deal with Mr Elliott on matters associated with G8way International?

40 MR PINTOS-LOPEZ: Commissioner, sorry, if I may. I hate to interrupt my learned friend's questioning, but it seems to me that the premise of the question was that this occurred at a particular time when Ms Cartwright was in - - -

MR ROBERTSON: I withdraw the question. That's a fair objection. I'll withdraw the question and deal with it precisely.

THE COMMISSIONER: Thank you, Mr Robertson.

MR ROBERTSON: Do you recall approximately when you did what you have now discussed, the passports and visas and the like?---I cannot relationship the, the dates but it was, it was, it was later. I, I can't remember. I would have to, I can't remember what dates.

THE COMMISSIONER: When you say later, later than when?---Oh, sorry. It could have been in 2015/16, I can't, can't - - -

While Mr Maguire was whip or after he was whip?---After he was whip.

10

MR ROBERTSON: And so this was done on instructions of Mr Elliott or on the request of Mr Elliott?---Yes, that's correct.

At that point in time you were not working for Mr Maguire?---That's correct.

Did you have the permission of the then whip to perform this role?---Again, that was done in a time which was a downtime. So I did it in what I would call my own time.

20

So is the answer to my question no?---No, yeah.

And I take it from the previous answer you gave, you didn't have permission of anyone, the clerk or anyone else, to be doing the running around and to make a little bit of profit for yourself on the top?---No, no.

Which is what ultimately happened, is that right?---Yes.

Now, the passports get presented to the consulate, the visa fee is paid for, you get the passports back.---Ah hmm.

30

How did those passports then get delivered to Mr Elliott or to whomever it was delivered to?---They were delivered in taxi to the hotel that the passports were for.

Who paid for that taxi or delivery?---I paid for that.

You paid for that?---I paid for all of that, yes.

That wasn't put on a parliamentary account or anything of that kind?---No. That was paid on my account.

40

And so, but is it the case that after being reimbursed for the visa fee and for the taxi fee or courier, you still ended up with a little bit of money on top of that?---But I didn't request that money. That wasn't, that wasn't the intention. The intention was I was being paid and being reimbursed.

You didn't request it but it was paid and you kept it, is that right?---Yes, I did keep it.

And that money came from G8way International, is that right?---Yes, that did, yes.

Why were you assisting Mr Elliott after you ceased to work for Mr Maguire?---I don't recall why. I still had a friendship, a very (not transcribable) friendship, but I had a friendship still or contact with Phil Elliott via Daryl Maguire because I was still in contact with Daryl Maguire, just from a friendly social aspect.

So it was in effect a favour to Mr Elliott? Is that right?---Yes, yes.

Is that the only occasion on which you received any money from G8way International?---No, that's not the only time.

On how many other occasions did you receive money from G8way International?---I received, well, I had asked for a loan from Daryl Maguire because I owed someone some money and Daryl offered to help me and then the money came from G8way International, which I didn't realise it was coming from G8way International, and my intention was to pay that money back.

So the money that you owed to another person, that was money owed to another member of parliament. Is that right?---That was correct, yeah.

And you wanted money from Mr Maguire so that you could pay that person back and owe it to Mr Maguire instead. Is that right?---That's correct.

But what ultimately happened was that the money came from G8way International. Is that right?---Correct, yes.

How did you know that it came from G8way International?---I believe there would be an invoice that – or it was paid into my account and came up as G8way International I think. Can't remember.

When you said invoice, did you misspeak about invoice or do you have a recollection of some sort of invoice?---No, just a recollection of in my bank account, as in a statement, not, I didn't get an invoice, it was just that was paid into my account.

So you recall seeing a bank statement saying not Mr Maguire was giving me money but G8way International is giving me money.---Ah hmm. Ah hmm.

Is that right?---That's correct.

Have you ultimately paid that money back?---No, I haven't.

Is there any other circumstance in which G8way International paid you any money?---I'm trying to think. I don't recall. There was another payment. I don't know, I don't recall.

THE COMMISSIONER: Do you recall how much, how much was the amount that you were provided with to repay the loan, to enable you to repay the other member of parliament?---It would have been over, well, around about \$2,000, around, around \$2,000.

10

MR ROBERTSON: Does the sum of two and a half thousand dollars ring a bell?---Oh, two, two, two and a half thousand dollars.

THE COMMISSIONER: Thank you.

MR ROBERTSON: You were searching your memory a minute ago - - -?
---Yes.

20 - - - for any other circumstances in which money was paid to you from G8way International. Do you have any recollection of any other circumstances?---I've been given \$500 by Daryl Maguire but I don't, I don't know, yeah, but I know there was another \$500 I've been given by Daryl Maguire and that was - - -

When did that occur?---(No Audible Reply)

30 Well, let's try it this way. Did it happen at the time in which he was Government Whip or did it happen before or after that time?---I believe, I actually don't know. I believe maybe after that time.

As you understood it, why was Mr Maguire giving you \$500?---That was also to see a friend in Perth who had cancer, so he was helping me to see my friend in Perth.

In what form was that money given, cheque, funds transfer, cash?---I, I thought, I believe cash but I can't remember.

40 Do you recall where you were when you received that money? Were you in Parliament House? Were you somewhere else?---I believe I was in Parliament House with that one, because I was going to Perth to see, like, I think I was in Parliament House, yeah.

And so have you now exhausted your memory of either G8way International or Mr Maguire paying money to you?---I believe so, yes.

Did you ever receive anything by way of a distribution or commission payment or salary or fee in relation to any work performed for G8way International?---Not that I'm aware of.

You say not that you're aware of. What do you mean by that? You don't recall doing so or - - -?---I don't recall.

Do you deny that you ever received a distribution from G8way International?---I'm not, not, I'm not denying that, no, I'm - - -

10 Do you know whether Ms Hatton ever received a distribution or like payment from G8way International?---I would, yeah, I would assume - - -

THE COMMISSIONER: Sorry, Ms Cartwright, I can't hear you. Would you please speak up?

THE WITNESS: Sorry. I, I, I can't remember or, if she did, if she - - -

MR ROBERTSON: Did she ever say to you, "Well, I've got a little bit of money out of this enterprise," or something like that? Because I think you explained before - - -?---Yeah.

20 - - - tell me if I've got this right, that, as you understood it, she was involved in that organisation. She was doing some work for that organisation.---She was doing some work for that, yeah. I, I don't know what payment she got from that or that side of it.

Can I try and help you this way? Can we go to volume 11, page 74, which is Exhibit 120. And I just want to focus on a particular period of time to see if this refreshes your memory.---Ah hmm.

30 In fairness to you, this is an email that you don't appear to have been copied to, from Mr Maguire to Mr Elliott, 25 June, 2014. And do you see there Mr Maguire says, "Great. I paid Rebecca \$500 and Nic \$300." Do you see that there?---Mmm. Yep. Yes, I see that.

And do you deny that Mr Maguire paid you \$500 on or about 25 June, 2014?---That would have been about the time I went to Perth.

So your best recollection is that that was money associated with the Perth trip, was it?---Yes.

40 Didn't Mr Maguire make it clear that he was paying \$500 as a one-off for you essentially by way of thanks for assisting him in relation to G8way International activities?---No, I didn't make it, he didn't make it clear that it was a one-off thanks.

So you're quite clear in your mind that, in relation to the \$500 that we're now talking about - - -?---Yes.

- - - Mr Maguire didn't in any way seek to direct that to or relate that to G8way International or Mr Elliott? It was all about - - -?---No, at the time it was about me visiting my, my girlfriend. He knew the girlfriend that had cancer and said that I should go and visit her.

So you're saying that, so far as you're concerned, in the exchange of that money, it had nothing to do with G8way International or Mr Maguire?---To my recollection, no.

10 THE COMMISSIONER: Was he Government Whip at that time, 25 June, 2014?---No, I don't believe he is. He, I, was it 2013 I think?

'14. 25 June, 2014.

MR ROBERTSON: 2014.---No, he wasn't Government Whip.

Does it refresh your memory that he was no longer Government Whip after about February of 2014. Is that consistent with your recollection?---I believe so, yeah. I, I can't remember when it happened to him, yeah.

20

But at least at that point in time, he was not, he was not Government - - -? ---No, that's correct, yeah.

You said a little while ago you knew that Ms Hatton was providing some assistance to G8way International business, correct?---Ah hmm. Correct.

You agree that you also provided some assistance to the G8way International business, both during the time that Mr Maguire was Government Whip and afterwards as well?---During the time of Government Whip I wasn't aware of G8way. I don't, I, I was - - -

30

Well - - -?---There was G8way but I, I would have assisted within the office then, yes.

Can I just ask you to reflect on the starting point of that answer.---Mmm. Mmm.

You knew what G8way International was at least as at 2012, do you agree? ---I, I knew it existed, yes.

40

You knew it existed, but you - - -?---Well, there was a concept of G8way.

Well, not only you knew it existed, you knew what G8way International was.---Yeah.

It was a business that was trying to link up organisations in Australia and organisations in China with a view to making a profit. Correct?---Ah hmm.

Do you agree?---Correct, yeah.

And you knew that Mr Maguire was involved in that business in the sense that he might ultimately stand to gain financially in relation to that business. Do you agree?---Yes, correct.

Can we go, please, to page 270 of the bundle. I just want to show another example of work associated with G8way International. Do you see there an email from Mr Maguire to you, 10 April, 2013?---Yes.

10

And then there's a reference in the text to - - -?---Sorry, I've got Lydia, from Lydia, so I've got Lydia.

THE COMMISSIONER: I'm not sure that's on the screen, Mr Robertson.

MR ROBERTSON: I'm so sorry. If we can just scan up to the top. It's entirely my fault, I apologise.---Oh, sorry, yeah, sorry, yeah.

The ultimate email is from Mr Maguire to you.---Ah hmm.

20

Do you see that there?---Yes.

And I just want to show you the attachment to this email, which starts on page 272 of the bundle. Sorry, I withdraw that, I've misled you, this isn't in fact an attachment, it's a document from around about the same time. It seems to be around 6 May, 2013, but we will go to that document, page 272. Do you recall seeing a document like the one on the screen before? It involves an agreement to pay G8way International a commission of blank per cent?---Ah, yes, I have seen that document, yes. Yes, I've seen the document before.

30

And in what circumstances have you seen that document?---Either printed or in the office, I've seen the document, I don't know.

Did you prepare this document or did someone else prepare it?---No, I didn't prepare this document, no.

But have you at least sent this document to someone on Mr Maguire's instructions or Mr Elliott's instructions?---If I'd sent it, it would be on Mr Maguire's instructions.

40

THE COMMISSIONER: And printed them in Parliament House?
---Correct, yes.

MR ROBERTSON: And so you know this to be a document pursuant to which G8way International was seeking to reach agreements with others pursuant to which a commission might be received in relation to sales of

product.---But I don't recall – I've seen the document but I don't recall, I haven't – I don't recall the document (not transcribable)

You recall seeing it and you recall printing it?---But I didn't take notice of the document. If it is - - -

So let's just deal with that in parts. You recall seeing it before. Correct?
---I have seen it, yes.

10 You recall printing it out in Parliament House before?---I don't recall printing it out, no.

Do you recall ever sending it to anyone or receiving a final version back from anyone?---I don't recall sending it, no.

But it was at least a document that you can recall seeing in Mr Maguire's Parliament House office. Is that right?---That is correct, yeah.

20 Is it fair to say that, as you understood it, Mr Maguire was using his office in Parliament House not just for performing his role as whip and as a member of parliament and his other former role as a public officer, but he was also using his office to run a business on the side? Is that a fair statement of your understanding of what was going on in Mr Maguire's office?---Not that he was running a business on the side in the office, he certainly had lots of contacts that he dealt with, but I really wouldn't say that he was – I see the documents but it looks like he is running a business from the side, but I didn't see it as him running a business on the side.

30 So you accept with the benefit of hindsight, looking back at what you've done in the past and looking at the documents in respect of which you have been involved that I have shown you, with the benefit of hindsight, Mr Maguire looks like he was running a business on the side?---Correct.

With the use of his parliamentary office and with the assistance of your staff, including you, do you agree?---Agree, yep.

But you say that you didn't understand that that was that was going on at the time?---No, correct.

40 You didn't, as it were, put two and two together - - -?---No, it was - - -

You've now had an opportunity to think about it further and have put two and two together and that's the conclusion to which you come, is that right, is that fair?---Yeah, that's fair, that's fair.

I tender the document entitled Agreement, page 272 of the bundle.

THE COMMISSIONER: That will be Exhibit 173.

#EXH-173 – G8WAYINTERNATIONAL AGREEMENT (BLANK)

MR ROBERTSON: You referred, Ms Cartwright, to an example of assisting in relation to visas.---Ah hmm.

10 But do I take it that you assisted with visas for Mr Maguire or for persons associated with Mr Maguire on more than one occasion, not just the occasion we talked about on the request of Mr Elliott?---Ah hmm.

There was more than one occasion where you assisted in relation to visas?
---Correct.

For example, you assisted Mr Joe Alha in relation to a visa when Mr Maguire was Government Whip, is that right?---Correct. Yep.

20 Did you do that on Mr Maguire's instructions?---I believe so, yes. Yes.

Have you got a recollection of being asked to assist in relation to that matter?---Yeah, yes, yep. Ah hmm.

And just in fairness to you, I ought show you a document, page 151 of the bundle. Now, the document I'm going to show you doesn't have a date in text but I can let you know that the metadata of the document has a date of 10 April, 2013. So while Mr Maguire was still whip.---Ah hmm.

30 And do you see there you're sending an email to joe@jgroup. Is that Mr Alha?---Joe, yes. Yes.

You know him as Joe and you know him as associated with J Group?---Yes, I do. Yep.

And is it consistent with your recollection that you provided some assistance to Mr Alha in relation to visas in about April of 2013?---That's correct. Yep.

40 And you say you did that on the instructions of Mr Maguire, is that right?
---That's correct.

I tender the document on the screen entitled China Visa Application Form, described as having an organiser, Rebecca Cartwright.

THE COMMISSIONER: That will be Exhibit 174.

**#EXH-174 – MEETING REQUEST FROM CARTWRIGHT TO 'JOE'
RE CHINA VISA APPLICATION FORM**

THE COMMISSIONER: I notice that's the same date as the email that you haven't really returned to, Mr Robertson, re. two letters, that you brought up the agreement rather than the attachment to that email, and I was wondering if you were going back to that.

10 MR ROBERTSON: Yes. I'll go back to that. I'll go back to that. That's page 270. Now, this is the email chain I showed you a little while ago. We then got distracted talking about the agreement.---Ah hmm.

Do you have a recollection of this particular email exchange in April of 2013?

THE COMMISSIONER: Is there a page 2, Mr Robertson?

MR ROBERTSON: There is.
20

THE COMMISSIONER: It might help.

MR ROBERTSON: We might go - - -

THE COMMISSIONER: Start at the bottom.

MR ROBERTSON: I'm grateful, Commissioner. Let's start at the bottom. Email from Ms Zhang to Mr Maguire, copied to you, so you can get the context.---Ah hmm.
30

THE COMMISSIONER: It's referring to a function, that's the end of the last sentence, Ms Cartwright.---Okay, so I'm just on the last page and I - - -

Do you want us to scroll up now?---Yes, please.

Can you scroll up now, please, Mr Grainger?---Yes. Oh, that's the Premier function, yes, yes.

This is 2013, April 2013.---Oh, okay. So this is a, a separate function from -
40 - -

MR ROBERTSON: It's certainly after the 2012 function that you and I discussed before.---So 2012, okay. I just - - -

Perhaps if I can introduce it this - - -?---Lots of functions. Yeah.

Perhaps if I can introduce it this way. See how it says from Lydia, "Please pass the attached letter to Shenhe District Government"?---Ah hmm.

Was a role that you played to assist Mr Maguire in the drafting or coordination of letters of introduction?---Yes, so the parliament would have a (not transcribable) parliamentary letter that would go to the consul or the province, I believe, so that the delegations would be able to get a passport to be able to come over to China, to come as a delegation, as an official delegation. So there was a letter that was actually on a, I think a parliamentary, not, not Daryl Maguire, I think, but it was a parliamentary - -

10

THE COMMISSIONER: Letterhead.---Letterhead. That was a formal one, and it would be requesting that, that we were inviting them to come over. That's my understanding.

MR ROBERTSON: And so that's standard diplomatic practice, as you understand it.---Yep, yep.

When a delegation is being invited to this country - - -?---Yes.

20

- - - a letter from an appropriate officer will be issued as a formal invitation to the event, correct?---Yes. Correct, yes.

And, as you say, that's often associated with visas and the like because the delegation is able to, if it needs a visa, the delegation is able to identify the fact that the presiding officer, for example, or Mr Maguire or someone in some position of authority has given the invitation for a particular individual to attend?---That's correct, yeah.

30

Are there any circumstances in which you arranged for a letter of introduction of that kind to be issued in circumstances where, you at least now appreciate, the invitation was offered to someone where Mr Maguire had a private business interest with that person, as opposed to the usual circumstance in which a letter of introduction is issued, whether it's for a delegation or for some other official function?---My understanding with the letters would be for an official, for a delegation to come over, if Mr Daryl Maguire then spoke to them on other matters, I wouldn't be aware of them, because they'd come in as a delegation, and sometimes they'd not even meet with Daryl. They'd be, have a parliamentary tour. They'd have a, I'd just organise a parliamentary tour for some of the delegations as well.

40

THE COMMISSIONER: Do we have the annexures of email, Mr Robertson? At the moment I'm confused as to whether it's somebody from Australia going to China or the other way round.

MR ROBERTSON: I think it may be the other way around. I'll just get someone to dig out the particular attachment because it's not in the next pages of the bundle.

THE COMMISSIONER: So the context in which Ms Cartwright has been describing providing letters to invite people to come to Australia.

MR ROBERTSON: Yes, I'll come to that in a minute. We'll come back to the attachments to that particular email. Just on that particular topic, can we go, please, to page 91 of the bundle, just so we can try and close out what you were talking about in terms of letters of introduction, just by way of example. And do you see there an email from you to aca349?---Yes.

10 14 March, 2012. So again, I'm sorry, we're going back in time, but I just want to try and give some context to what you're explaining about letters of introduction. And so this is going to Humphrey.---Yep.

Does ACA mean anything to you, when it says "To ACA"? Do you know what ACA is?---I, he was, I remember Country Garden as a, as a name, but I don't know what actual ACA stands for, whether it's - - -

But you at least knew Humphrey to be involved in business, if I can put it in that very broad sense?---Yes, yes.

20

And if we then just turn the page. Is this letter - - -?---Yes.

- - - an example of a letter of introduction of the kind that you were explaining before?---Yes, yep.

And if you just have a look at the very start of it, it says, "On behalf of the NSW Government." Do you see that there?---Yes.

30 At that point in time, Mr Maguire is Government Whip but he's not a minister or parliamentary secretary. Is that right?---That's correct, yes. Yeah (not transcribable) yep.

As you understood it, was Mr Maguire able on his own behalf to decide that the NSW Government is making an invitation of the kind that we see on the screen? Or did he need to clear that with, say, the Premier or the Department of Premier and Cabinet before offering an invitation on behalf of the NSW Government?---He was the chairman of the Asia Pacific Friendship Group, so it would come under, he would be able to invite under the Asia Pacific Friendship Group.

40

But the Asia Pacific Friendship Group, that's a cross-party group of politicians who have an interest in a particular area of the world, is that right? Or a particular topic. Is that right, as you understand it?---The Asia Pacific Friendship Group, yep.

It's got people from the Liberal side, from the Labor side?---That's correct, yeah.

And cross benchers as well no doubt?---Yes, yep, so - - -

But are you saying, as you understood it as chair of that organisation, Mr Maguire was entitled to issue invitations on behalf of the New South Wales Government. Is that what you're saying?---Yes.

10 And so at least so far as you're aware, there wasn't some procedure to say, well, before you can invite someone on behalf of New South Wales Government you have to clear it with the Premier and Cabinet or with some other authorised body?---Not that, not that I was aware of at the time, no.

I tender the email from Ms Cartwright to aca349, 14 March, 2012, pages 91 through to 93 of the bundle.

THE COMMISSIONER: That will be Exhibit 175.

#EXH-175 – EMAIL CARTWRIGHT TO HUMPHREY DATED 14 MARCH 2012 RE DELEGATION REQUEST

20

THE COMMISSIONER: Are you going to go back and tender the one of 10 April, 2013?

MR ROBERTSON: I will. We might just have that back on the screen if that's convenient or not if inconvenient.

30 THE COMMISSIONER: Not that one, Mr Grainger. We're going back to the 10 April, 2013 one re two letters.

MR ROBERTSON: Now, if you just have a look at the email that you sent to Mr Maguire towards the top of the page 3.27pm.---Ah hmm.

And so you're communicating to Mr Maguire that Lydia wants you to send this to (not transcribable) Lu Ming, L-u M-i-n-g. Do you recall the circumstances in which you were asked to do that?---She was asking for the official letter but without Daryl's signature, I believe.

40 Sorry, without Daryl's - - -?---Well, she wanted it, she wanted the letter done, which I hadn't gone through Daryl to make sure that that was correct.

Sorry, you need to explain that. I don't quite understand.---So, so she was asking for me to do an official letter of introduction, but I would not do that unless Daryl said it was okay to do that so - - -

And that's an - - -?--- - - - she's asking me directly and I would have then asked Daryl if that was correct.

And so is that an introduction letter similar to what we saw a moment ago where it's an introduction for people from overseas to come to Australia. Is that right?---Correct, yes.

THE COMMISSIONER: Is at least one of the letters which Ms (not transcribable) sought the one which appears to be set out in the email from her at 3.21 on 10 April, the one in the middle of the page, "Dear Ms Lu Ming"?---Yes.

10 And this would be a letter you said Mr Maguire wasn't to sign?---No. She was asking me directly to put up a letter and send it.

On whose letterhead?---On Daryl's letterhead so therefore, or on the letter, yeah, the letterhead that I would send the official letters on.

So the Premier being referred to is the Premier of New South Wales I assume?---I can't remember the letters so I think I was talking about something completely different.

20 The Wuai project appears to be the one that's sort of an ongoing theme. When you went to China a year or so before there were two days devoted at least to Wuai.---Yes, correct.

And you understood part of the Wuai project was to bring the concept of a trade centre in (not transcribable) in Wuai to Wagga?---Yes, yes.

And there had been the signing of the memorandum of understanding in respect of that - - -?---Correct.

30 - - - in November 2012?---Yes.

At which the Premier, then Premier, Mr O'Farrell, had at least met the delegation from Liaoning Province?---Yes.

40 And this appears to be a continuation of an expression whether or not it had been communicated to the Premier himself, but you were seeking Mr Maguire's authorisation to prepare it, demonstrating continued support for this Wuai project four or so, five months later.---That would be correct. I just don't remember. I don't remember doing this letter, but yes, it would have been an ongoing - but I'm sorry, what is the question that you're asking me on, on this particular - - -

Well, I think I interrupted Mr Robertson. I think he'll have to ask you another question. Sorry, Mr Robertson, I got carried away.

THE WITNESS: I'm sorry.

MR ROBERTSON: Not a problem at all, Commissioner. I'm just really seeking to confirm that this is an example of you being asked to organise letters of introduction of the kind that I showed you an example of a little while ago, with a view to inviting people from the Chinese end coming into Australia. Is that right?---I just asked about a function.

See about halfway down the page, "Please pass the attached letter to Shenhe District Government?"---Yeah, I, okay, and the attached letter is the - - -

10 At least in my materials I don't have that attached letter, so I'm sorry for making it confusing.---Oh, so sorry.

But if you have a look at your email to Mr Maguire, you're informing him that, "Lydia wants me to send this to Ms Lu Ming, L-u M-i-n-g."---Yeah. Yeah, I'm sending the letters to - - -

And that you're going to tidy up the English as well.---I would have been asking Daryl's advice on this. I can't - - -

20 In relation to a letter of introduction.---I believe it's a letter.

As best as you can understand it.---As best as I can understanding reading that, yes.

Given that I'm giving you the disability of not showing you the actual attachments because it's not - - -?---But that's.

I'm not sure whether I have those documents.---I understand that. Okay, yeah.

30 I tender the document on the screen, email from Mr Maguire to Ms Cartwright, 10 April, 2013, page 270 to 271 of the bundle.

THE COMMISSIONER: That will be Exhibit 176.

#EXH-176 – EMAIL MAGUIRE TO CARTWRIGHT DATED 10 APRIL 2013 RE 'TWO LETTERS'

40 MR ROBERTSON: Go to volume 8, page 168, because we may have managed to dig out the attachments. I'm sorry for making that exercise so difficult for you, Ms Cartwright.---That's okay.

But I think in fairness to you I should show you this document.

THE COMMISSIONER: Do you have enough water there, Ms Cartwright? ---I would like some more, please.

Can we have another bottle of water, please.---Thank you. Thank you very much.

MR ROBERTSON: Now, this a little bit before the previous email.---Yeah.

But do you see, “Attached two introduction letters as requested?”---Yep.

10 And if we turn to the next page - - -?---That makes more sense, yes.

And so have we now managed to effectively square the circle, as the Americans would say?---Yes.

These are the kinds of letters that we were talking about and that were requested by reference to the previous email that I showed you?---Correct, yes.

20 And this was a fairly standard thing for Mr Maguire to be involved in, at least in relation to delegations coming to New South Wales. Correct?
---Correct, yeah.

But that was principally done in his capacity as chair of the Asia Pacific Friendship Group?---Yep.

But for having that role, he wouldn't be issuing letters of invitation of this kind. Is that right as you understand it?---He wouldn't, sorry?

30 Absent having the role as chair of the New South Wales Parliament Asia Pacific Friendship Group, he wouldn't, as you understood it, be issuing letters of introduction of this kind?---He, but as government - - -

THE COMMISSIONER: Invitation.

MR ROBERTSON: Letter of invitation, I'm so sorry.---But as Government Whip he could do introductions, yes.

So is your experience working for other Government Whips that there would sometimes be letters of introduction of this kind?

40 THE COMMISSIONER: Invitation.

THE WITNESS: I haven't done - - -

MR ROBERTSON: Or invitation, thank you, Commissioner.---No, I haven't done any of these as Government Whip but my understanding is that as Government Whip you'd be able to do that, to invite delegations.

Well, if you just look at this one. The text is a little bit different. It says, "On behalf of Parliament of New South Wales and as Government Whip," et cetera. Do you see that there?---Ah hmm.

As you understand it, is the Government Whip entitled to issue letters of invitation of this kind on behalf of the parliament, or is that something that requires the consent or approval of one or other of the presiding officers?
---My understanding at the time, that the, that the Government Whip would be able to send this letter on. I did these letters in the Government Whip's office, and I, I didn't have any other understanding that it had to go through anybody else.

So just stepping back, then.---Mmm.

On the kinds of things that you assisted Mr Maguire with and which, at least with the benefit of hindsight, you realise assisted his personal business interests or those of others. We had the example about the Maguire Trading contract that I first started you with, that looks like you just printed it out. That's one example, correct?---Ah hmm. Correct.

20

There was some assistance with visas.---Yep.

Both when you were working for Mr Maguire as Government Whip and afterwards, correct?---Correct.

Some assistance of Mr Elliott in respect of a visa as well.---Correct.

We had the Jetblaster example of sending documents over to Fiji, correct?
---Correct.

30

There was some involvement in wine sales, correct?---Correct.

There was some documents associated with agreements for G8way International.---Correct.

Was there anything else that you can recall?---Not that I can recall, no.

What about in relation to property development?---Joe Alha was his close friend and he was a property developer.

40

And so did you provide some assistance to Mr Maguire in assisting Mr Alha?---I have printed, I've printed documents I think from Joe Alha, via Daryl Maguire.

And you'd agree, I take it, that that exercise had nothing to do with Mr Maguire's parliamentary activities or his role as a public official?---Correct, yep. Yep. Correct.

It was either to help Mr Maguire himself or perhaps to help a friend of Mr Maguire in the case of Mr Alha.---Correct. Correct.

Anything else in this category of assistance that, at least with the benefit of hindsight - - -?---I, I can't think of, I, no.

What about quotes, quotations in relation to potential sales of product?
---Sorry?

- 10 What about quotations in relation to potential sales of product? Do you recall ever assisting Mr Maguire in going out to the market and saying, "I want to sell a particular product"?---I don't recall that, no.

Can we go, please, to page 171 of the bundle. Can we just draw your attention to the last paragraph, "And are you happy with the email about, with the beef cuts?" You see that there?---I see that there, yep.

- 20 And if we go back two pages. This is an email a little bit earlier in the day, which seems to be something about beef cuts.---Yep.

Does that look like an email that you drafted to assist Mr Maguire?

THE COMMISSIONER: This is about a month before, Mr Robertson. This is 14 December, 2012. I thought the one you just showed Ms Cartwright was 7 January, 2013.

MR ROBERTSON: You're quite right, Commissioner. I had inferred – I may be wrong.

- 30 THE COMMISSIONER: Well, they may both be about meat, but I think you should have made it clear to Ms Cartwright that it's about five weeks before.

MR ROBERTSON: They're certainly both about meat. No, quite right. Do you have any recollection of this set of emails? The Commissioner's quite right to note that the email that I'm now showing you was a number of weeks before, so - - -?---Mmm.

- 40 THE COMMISSIONER: Actually about three weeks.---Ah hmm. I - - -

MR ROBERTSON: Christmas period.---It's an email from me that I've sent. I don't remember knowing that kind of information, so whether information was given to me and pasted, but - - -

But at very least do you agree that one of the things you assisted Mr Maguire with was assisting him in quoting to third parties potential product sales, correct?---Correct, yep.

And you're not able to identify any reason why Mr Maguire would be doing that in his public official capacity?---No.

As opposed to in his capacity as someone seeking to make some profits?
---Correct.

And so I've given you a number of examples.--- Yes.

10 And I don't want to spend any more time going through some further examples, but you do agree, don't you, that at least with the benefit of hindsight, you were asked on multiple occasions, both when you were working for Mr Maguire as whip and afterward, to engage in activities that much gave been for Mr Maguire's personal business interests or for the personal business interests of persons associated with Mr Maguire?---That's correct, yep.

Correct?---Ah hmm.

20 Do you agree that you realised that something was a bit suspect at the time that you were being asked to do these tasks?---Not at the time, not, not in 2012 and - - -

So you're saying it's clear to you now with the benefit of hindsight and looking back on it but, what, you say at the time it wasn't clear to you what was going on?---At the time, no, it was not clear to me but, yes, ah hmm.

But you accept now that you were asked to do things that couldn't possibly - - -?---Shouldn't have been - yeah.

30 That you shouldn't have done?---Ah hmm.

At least with the benefit of hindsight, do you agree?---I agree, yep.

And that as you understand the rules applying to members of parliament, Mr Maguire shouldn't have done, do you agree?---Agree, in Parliament House, yes. Yep.

That's the examination, Commissioner.

40 THE COMMISSIONER: Do you want to tender those two emails, the January 2013 and the December 2012 ones, Mr Robertson?

MR ROBERTSON: I do, Commissioner. I just need to dig up the references. Can I perhaps do that immediately after lunch so that I can dig out the references?

THE COMMISSIONER: Certainly.

MR ROBERTSON: I apologise. And one further procedural matter. The witness referred to some photographs taken on her telephone and gave some evidence that those still are in existence. In my respectful submission, a direction ought be made under section 35(2) of the ICAC Act, requiring production of those photographs. And before you formally make that direction, I'll just ask a couple of questions to confirm that that's something that can physically be done.

THE COMMISSIONER: Yes.

10

MR ROBERTSON: Do you recall, Ms Cartwright, that you said that during the course of the Wuai visit and the signing ceremony and the courtesy call with Premier O'Farrell, you took some photographs on your telephone, correct?---Ah hmm. I think, yeah, I believe it was my telephone, yeah.

And I think you said the present location of those photographs, or at least the copies of those photographs - - -?---I believe that they are but I haven't touched - - -

20 - - - are somewhere on a computer?---Yes.

And you have no difficulty with producing those photographs to the Commission?---No.

THE COMMISSIONER: And you don't require Ms Cartwright to produce a telephone, just to put forward copies of the photographs, I take it. Is that correct?

30 MR ROBERTSON: No, no. Probably not at all.

THE COMMISSIONER: The answer is yes, is it?

MR ROBERTSON: The answer is we don't require, the Commission shouldn't require production of the phone. It's sufficient to require production of the photographs.---I don't think I have that phone.

40 THE COMMISSIONER: We're not asking you to do that. So you will recall when I gave you the direction and explained the section 38 declaration, I explained that I might have some occasions that require you to produce an item.---Yes.

That's what I propose to do now.---Okay,

So pursuant to section 35(2) of the Independent Commission Against Corruption Act, I direct Ms Cartwright to produce to the Commission copies of the photographs which she took on 30 November, 2012, on the occasion of the signing of the memorandum of understanding in respect of which

evidence has been given today. I direct that you should do that, if possible, by 9.00am tomorrow morning.

PURSUANT TO SECTION 35(2) OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DIRECT MS CARTWRIGHT TO PRODUCE TO THE COMMISSION COPIES OF THE PHOTOGRAPHS WHICH SHE TOOK ON 30 NOVEMBER, 2012, ON THE OCCASION OF THE SIGNING OF THE MEMORANDUM OF UNDERSTANDING IN RESPECT OF WHICH EVIDENCE HAS BEEN GIVEN TODAY. I DIRECT THAT YOU SHOULD DO THAT, IF POSSIBLE, BY 9.00AM TOMORROW MORNING.

THE COMMISSIONER: And when we adjourn, could you just seek an explanation from Mr Robertson as to precisely how you should forward those photographs.

20 MR ROBERTSON: Sorry, Commissioner, with your leave can I just ask one further question that I neglected to ask.

THE COMMISSIONER: Yes, by all means.

MR ROBERTSON: When is the last time you've had any contact with Mr Maguire, either by telephone, email, text message or of any other kind? ---It's, it's been quite a long time since I have had a contact with him. It would be around the time that he finished up Parliament House. There have been a couple of phone calls that have been made but I haven't made contact with him in - - -

When you say there's been a couple of phone calls that have been made, what do you mean by that?---Daryl has contacted me.

So Mr Maguire has attempted to contact you but you haven't picked up the phone or haven't responded to the message?---I had picked up the phone on, yeah, one occasion, yep.

40 And when was that occasion?---Oh, very close to when he finished at Parliament House.

THE COMMISSIONER: After he finished?---After, yeah, it would have been close to the time that he was being investigated in ICAC and then had finished as a member of parliament, during that time.

MR ROBERTSON: So to help you get your bearings, Mr Maguire resigned from parliament with effect of 3 August, 2018.---Right.

So you're saying your last contact with Mr Maguire was some time around that point in time?---Yes, I believe that's the case.

And nothing more recent than that?---I had a like on one of my Facebook. That's it.

In relation to the communication around when Mr Maguire finished from parliament, what was the subject matter of that communication?---He was angry with ICAC and he was angry that he wasn't going to be a Liberal, to be no longer a Liberal MP.

So does that suggest that he was making that contact between resigning as a member of the parliamentary Liberal Party but before he ceased to be a member of parliament? Because there was a difference in time between those two things.---I think, yeah, no, I think it was at the time when he was going to be no longer the Member for Wagga Wagga. So after the time he resigned, he resigned as a Liberal Party member. So I think it was after that, and then he was no longer going to be a member of parliament.

And so he, as it were, complained about the Commission's inquiry. That was the Operation Dasha inquiry in 2018. Did he say anything else during the course of that conversation?---That he didn't want to have a three-tiered election for Wagga Wagga.

A three-cornered contest of some sort?---Three-cornered, sorry, yes.

Did he say anything about the investigation more generally, or documents or anything of that kind?---I remember being sent an email regarding a news item that was sent to me from Daryl about a comment of him. I cannot remember the news item. And he said, "Dumb."

But what I'm trying to understand is the gist of the conversation that you had with Mr Maguire after he appeared before this Commission in 2018. He's complaining about the investigation and he's angry with what's happened, but did the conversation go any further than that? Did you discuss any other aspect of that investigation or, in particular, what you might do in relation to that investigation?---No, I didn't. No.

Well, let me put it directly. Did Mr Maguire say anything to you about any documents? You didn't talk about any documents that might be relevant to anything that's being investigated?---He, he said to me there was a hard drive that was coming from IT that had his name on it, and he wanted me to -- IT gave me the hard drive and I asked him if he, how he wanted it sent to him.

So you're talking about IT within the parliament?---IT within the parliament, yes, 'cause he was, had - - -

So IT within the parliament gave you a hard drive, is that right?---Yes.

It was a hard drive from where?---From his computer in one of the parliamentary offices.

From his Parliament House computer?---Ah hmm.

10 How was it that IT, as you understood it, was obtaining that hard drive to give to Mr Maguire?---He had, I, I don't know. I can't remember exactly how that was obtained. It was either it belonged to Daryl and they had taken it from his computer and Daryl had asked for it to be given to me to send on.

And so when you say "from his computer", you mean his computer within Parliament House?---Correct, yes.

And that was a parliamentary supplied computer, I take it?---It was a parliamentary.

20 At least as you understood it.---Yes, but I don't know if the hard drive was an extra thing that was - - -

And why was the hard drive being given to you, noting that you weren't working for him at the time that he resigned?---Because he asked them to give it to me.

So, as you understood the position, Mr Maguire knew that IT was going to obtain the hard drive from his parliamentary computer, is that right?
---That's correct.

30 And Mr Maguire gave instructions to give that hard drive to you, is that correct?---That's correct.

And what instructions did he give you in relation to that hard drive?---To post, well, to post it. But, to post it but not, but, he said to post it but it gets lost in the post.

THE COMMISSIONER: I'm sorry?---He asked me to post it to him.

40 Yes.---And then he said it gets lost in the post.

What do you mean?---That - I took it as not post it.

So what did you actually do with this hard drive?---I kept the hard drive.

You still have it, do you?---I do have the hard drive, yeah.

I feel another section 35 direction coming on.

MR ROBERTSON: You can anticipate my application, Commissioner.

THE COMMISSIONER: Where is it, Ms Cartwright?---In the Government Whip's office.

So you can produce it to the Commission today?---I could do, yeah.

10 Pursuant to section 35(2) of the Independent Commission Against
Corruption Act, I direct Ms Cartwright to produce to the Commission by
3.00pm today the hard drive which is identified as being Mr Maguire's hard
drive delivered to her in or around the time of Mr Maguire's resignation
from parliament in 2018.

**PURSUANT TO SECTION 35(2) OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DIRECT MS
CARTWRIGHT TO PRODUCE TO THE COMMISSION BY 3.00PM
TODAY THE HARD DRIVE WHICH IS IDENTIFIED AS BEING
20 MR MAGUIRE'S HARD DRIVE DELIVERED TO HER IN OR
AROUND THE TIME OF MR MAGUIRE'S RESIGNATION FROM
PARLIAMENT IN 2018.**

THE COMMISSIONER: Do you understand that direction, Ms Cartwright?
---Yes.

MR ROBERTSON: Ms Cartwright, is there any reason why you couldn't
go and retrieve that document immediately now when this Commission
30 adjourns?

THE COMMISSIONER: That hard drive.

MR ROBERTSON: Hard drive, I'm so sorry.---Yes, I can, yes.

That's accessible to you simply by going down the road to Parliament
House, collecting it and coming back. Is that right?---That's correct. I just
also want to state that I just didn't want to be involved when I was given
that and the phone call, I just put it aside and left.
40

THE COMMISSIONER: So did Mr – I'm just still trying to understand this
conversation. Is the gist of it that Mr Maguire in effect asked you to lose
that hard drive, not mail it to him?---That was my understanding, but I just
left.

Has he ever asked you since that conversation what you did with it?---No,
he has not.

MR ROBERTSON: I take it, Ms Cartwright, you don't have any objections to some Commission officers coming with you during the course of the luncheon adjournment to procure that hard drive?---No, no.

10 And I want you to be as clear as you can, I just want to make sure I understand the chronology. So as you understood the position there was a hard drive that was going to be procured or taken out of Mr Maguire's parliamentary computer and made available to Mr Maguire. Is that right? Have I got that right as the first step?---Yes. It was going to Mr Maguire but he didn't want it posted to him.

We'll come to that. Mr Maguire makes contact with you and draws to your attention the fact that there is a hard drive that he's given instructions to give to you.---Yes.

At that point in time you're working within Parliament House. Correct? ---Correct.

20 And you've worked closely with Mr Maguire over the years. Correct? ---Correct.

So he's trying to get it to you, as you understood it, by way of safekeeping of that particular hard drive?---Yeah, I expect so.

30 Now, doing the best you can, I want you to – and I appreciate it was a little while ago, but I want you to identify what words Mr Maguire used, and if you don't know the exact words you can say, "Words to the following effect." And if you want some time to pause and think about it, that's fine, but I want you to be as precise as you can as to what words he said and what words you said in that particular conversation.---To my recollection he said that the, there would be a hard, hard drive coming to me. I believe there was an email also that was saying that, from IT to I think Daryl and myself saying that the hard drive was going to be given to me. I think that's IT saying that they had taken the hard drive, and Daryl then said words of the effect that, 'cause I, I phoned, I think I phoned him and asked him how he wanted the, how he wanted it sent, sent to him and he said, "Well, it gets lost in the post so just post it." Words to that effect, that's - - -

40 THE COMMISSIONER: So for example put it in a letterbox with no address on an envelope, or just put it in a letterbox, period.---Yes, just post it and it gets, yes.

MR ROBERTSON: And Mr Maguire was making it clear to you that he wanted the hard drive to disappear. Correct?---Yes.

You agreed to assist him in relation to that matter. Correct?---Well, I kept it in the office.

Well, is today the first time you have proffered to this Commission the existence of this hard drive?---That is correct, yes.

Why haven't you proffered that information before now?---I, I can't answer why I haven't done that. It was something that was put in the office, I actually did even forget about it.

10 You know that that hard drive may have information on it that may implicate Mr Maguire. Correct?---It may have, yes.

You knew that at the time that you took possession of it from the IT Department. Correct?---I, yeah, I (not transcribable)

Do you agree with me or not?---Yes.

20 You agreed to assist Mr Maguire in concealing potentially damaging material by hiding the hard drive and not drawing that to the attention of this Commission. Correct?---I did not think, I did not think I was doing that. I just put it away. I just put it away.

You knew that Mr Maguire didn't want that hard drive to see the light of day. Do you agree?---At the time it seemed that way, yes.

You knew that at the time.---At the time, at the time, yes.

Not just "it seemed that". You knew that at the time, didn't you?---(No Audible Reply)

30 Do you agree with me or not?---Yes.

And you agreed to assist Mr Maguire in achieving that objective, in other words, keeping away from this Commission material that might implicate him. Do you agree?---I, I, I don't. I, I was, I just kept it. I just thought I'd just keep it. I wasn't going to lose it. I just kept it and I - - -

You agreed to assist Mr Maguire in attempting to keep from this Commission information that might implicate him. Do you agree?
---Um - - -

40 Do you agree or not?---I agree, yes.

And that's why you kept the hard drive rather than getting it to Mr Maguire or drawing it to the attention of this Commission. Is that right?---Well, there was, the initial it was just to be sent to Mr Maguire and he didn't want it sent so I just kept it. So it wasn't that I was trying to keep it from anybody. I didn't want to lose it. I just kept it.

THE COMMISSIONER: But he effectively wanted you to destroy it, didn't he, Ms Cartwright?---He just said, he just said to get lost, for it to get lost but I wasn't - - -

So it wouldn't be available whether to this Commission or any other investigative body. That was your understanding what he was asking you to do was it not?---Because, yes, he didn't want it to get to, be posted to his house (not transcribable) his house.

10 Well, he didn't want it to be in any position where a body like this Commission or any other investigative body might have access to it. That was your understanding, wasn't it?---That's correct.

MR ROBERTSON: He wanted it to effectively disappear, for all intents and purposes, and you agreed to assist him in relation to that, correct?---I didn't agree to get rid of it, no, but I - - -

No, but you agreed to conceal it and to not draw it to anyone's attention, correct?---Correct.

20

But for me specifically asking you about communications with Mr Maguire that led to you proffering up the reference to the hard drive, you had no intention at all of drawing to this Commission's attention the fact that you had that hard drive, correct?---Correct.

Is that a convenient time for an adjournment?

THE COMMISSIONER: Yes.

30 MR ROBERTSON: I am not finished with Ms Cartwright, as you might appreciate, Commissioner.

THE COMMISSIONER: We'll take the luncheon adjournment now, Ms Cartwright, but during that period, as has been indicated, officers of the Commission – Mr Grainger, are you proposing to accompany Ms Cartwright?

MR ROBERTSON: Just pardon me. Not Mr Grainger but another Commission officer.

40

THE COMMISSIONER: When I adjourn, please don't leave the hearing room until the arrangements for you to be accompanied to Parliament House have been made and please accompany, go there – Mr Pintos-Lopez must also presumably be allowed to accompany Ms Cartwright?

MR ROBERTSON: Quite so. It would be quite appropriate for him to do so.

THE COMMISSIONER: Yes. Mr Pintos-Lopez, if you wish, or Ms Cartwright wishes you to accompany her, please do so.

MR PINTOS-LOPEZ: Thank you, Commissioner.

THE COMMISSIONER: We'll adjourn until twenty past 2.00.

MR ROBERTSON: Can I respectfully suggest half past 2.00 just in case any issues arise out of that exercise?

10

THE COMMISSIONER: Yes, my all means. We'll adjourn until 2.30.

LUNCHEON ADJOURNMENT

[1.19pm]