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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE RUTH McCOLL AO
COMMISSIONER

PUBLIC HEARING

OPERATION KEPPEL

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 25 SEPTEMBER, 2020

AT 9:30AM

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THE COMMISSIONER: Mr Duffy, I'm going to ask you to take the affirmation again today.

MR DUFFY: Yeah, yep.

THE COMMISSIONER: Thank you. Please be seated. Yes, Mr Brown.

MR BROWN: Mr Duffy, we spoke of the first two visa applicants introduced to you by Ms Wang yesterday.---Yes.

10 I'm now going to take you to the third applicant, which was Ms Jingjing Hu, known as Amber. Now in Ms Hu's case, the application was for a Regional Sponsored Migration Scheme visa. Is that correct?---I'm not sure but I know it was different to the other two.

So the first two were Employer Nomination Scheme visas?---Yep.

And you recall we got to the document yesterday and they had very high salaries?---Yes.

20 And this salary was much lower in this case, wasn't it?---Correct, yep,

Now, just to assist you with dates. The nomination was lodged on 28 April, 2017, for this visa. So the documents were prepared in early 2017.

THE COMMISSIONER: What was that date again please, Mr Brown?

MR BROWN: 28 April, 2017.

THE COMMISSIONER: Thank you.

30 MR BROWN: Now, part of the requirements for that class of visa was that there was a genuine need for the nominated business, your business, to employ a paid employee to work in the business under your direct control. Do you recall that being the case in 2017?---Yes.

Was there a genuine need for Great Southern Electrical to employ a paid employee in the role of assistant management accountant at the time of the application in April 2017?---Yes, there was.

40 But you knew that Ms Hu wasn't truly going to be a paid employee, didn't you?---Correct.

She would be paying her own wage?---Yes.

And that was a key part of the arrangement, wasn't it?---It was, yes, part of the contract.

It was a further requirement of a Regional Sponsored Migration Scheme that the position could not be filled by a local resident. Did you appreciate that in 2017?---Probably not.

Did you or anyone in your company take any steps to attempt to recruit for that position?---No.

And is that because the whole point was to give the position to Ms Hu pursuant to the training agreement?---Yes.

10

I'm going to go to the documents now, Mr Duffy. Firstly, I tender pages 64 to 180 of volume 20 of the public inquiry brief.

THE COMMISSIONER: That will be Exhibit 189.

#EXH-189 – JINGJING ('AMBER') HU IMMIGRATION BUNDLE

20 MR BROWN: Being the documents relating to the visa applicant, Jingjing Hu. Can we bring up page 86. And, Mr Duffy, you might recognise this document. We looked at a few similar documents yesterday.---Yes.

We'll just quickly take you through it. You can see that the business name on that first page, Great Southern Electrical?---Ah hmm.

And if we scroll down to the next page, page 87, you're listed as the contact person. Do you see that there?---Correct.

30 If we go down two pages to page 89, we see assistant management accountant as the position and a salary with a base rate of \$55,000. Do you see that?---Yep.

And then at the bottom of the page, "Will the business organisation be paying the nominated person's salary?" Answer, "Yes." That was false, wasn't it?---Correct.

Did you tell anyone at Ausky Immigration or Maggie Wang that you would be paying the salary of Ms Hu?---No.

40

If we go down to page, two pages to page 91 we see that the nominated person is Jingjing Hu, and then if we go to the last page in the document, page 92, we see a series of declarations here, including that – sorry, perhaps if we go up a page, yes, so this is on page 91, no 92, sorry, "Will provide full-time employment for the visa applicant for at least two years." Answer, "Yes." That wasn't the case, was it?---Well, it would have been the case if the person had have worked out, but they didn't come.

But your understanding was that you were only under an obligation to employ them for a three-month period.---Inside the contract, yes, yes.

And if we can go to page 98 of the exhibit. If you can just have a read of that document, Mr Duffy. It's entitled Declaration.---Yes.

Is that declaration true as far as you're concerned?---Probably not.

10 Well - - -?---I mean I don't know if it was advertised, I don't - - -

Had you personally - - -?---No, I - - -

- - - or anyone within the company attempted to employ an assistant management accountant?---No.

No. So it wasn't true, was it?---No.

20 Did you ever tell Maggie Wang or anyone from Ausky Immigration that the position vacancy had existed for more than six months?---No.

And that's because it hadn't, had it?---No.

If we scroll down to the next page, page 99, were you aware that ads of this type had been posted in relation to the position?---No, I wasn't.

Did you ever receive any job applications in relation to the position?---I don't think so, no.

30 Did you ever meet Ms Hu prior to employing her, prior to employing her?
---Yes. She came in and she did a job place induction, or an employment induction.

And when was that?---That was - - -

By reference to the nomination in April 2017, was it before or after you put her forward as a candidate for a Regional Sponsored Migration Scheme visa?---It was after.

40 Right. If we can go to page 127 of the exhibit. And you'll see this document's entitled Re Nominated Position Assistant Management Accountant. And if you note at the top left, Mr Duffy, it's addressed to a Brendan at the Department of Immigration. And if you just read that first line at about point 5, I'll read it out to you. "I refer to your email sent on 7 June, 2017 regarding a 187 nomination application made by our company for Ms Jingjing Hu as an assistant management accountant." So that's the context of this document, Mr Duffy.---Yeah.

If we can just go down to page 139 now, which is the final page of the document. Can you just have a read of that final paragraph under the heading Recruiting Activities, Mr Duffy.---Yes.

Is that true as far as you're concerned?---No.

10 And now that document's signed by you, Mr Duffy. Do you recall ever having seen that document? I appreciate I've only taken you to two portions of it, but do you recall - - -?---I don't recall seeing it, but I must have if I signed it.

Well, have a look at that signature. Does that look like your signature?
---Yes, it does.

It does?---Yeah.

So you accept that you may have signed this document?---Correct.

20 Do you have an electronic signature, Mr Duffy?---No, I don't.

You don't.---No. I should have.

But by this point in time you had sent a series of signed documents to either Maggie Wang or Ausky Immigration, hadn't you?---Yes.

Now, unlike Ms Zong, Amber Hu actually did turn up. I think you've already indicated that on at least one occasion.---Correct.

30 If I can take you to page 173 of the exhibit. This might just help you with the date, Mr Duffy. Do you recognise that document?---I do, yes.

Is that part of an induction document that you did with Ms Hu when she turned up at Great Southern Electrical?---Yeah. Correct. Yes,

THE COMMISSIONER: Dated 5 July, 2018, I note, Mr Duffy. It appears it took a while for all this to go through.---Correct.

40 Oh, was that the date she was there, that she, 5 July, 2018?---Yeah, she came, she came to our office, and she did, she, she completed a, a workplace induction yeah probably.

On the date of this document?---Yeah. Oh, to my, best of my knowledge, yes, yep.

MR BROWN: And just for context, Commissioner, the visa application was actually granted on 3 October, 2017, and it wasn't until much later that she actually turned up for the employment.

THE COMMISSIONER: I see. Thank you.

MR BROWN: Apart from this day, how many days did Ms Hu actually turn up to work at Great Southern Electrical?---That was it.

That was it?---Mmm.

You put her on the company's books, is that correct?---Correct. Yes.

10 You paid her a salary?---Yes.

And you generated pay slips for her?---Yeah, she was an employee.

If we can just bring up page 165 of the exhibit.

THE COMMISSIONER: When you say you paid her a salary, did she give you a bank into which to pay her wages?---She did. Yep.

20 Was that on the day she was there, that she gave you the bank details?---It would have been, yes. Yep.

MR BROWN: Do you recognise that as the pay slips that are issued in respect of Ms Hu?---Yeah, they're our, they're our pay slips. Yep.

I can see, on the left-hand side, at the top of the document, Jingjing (Amber) Hu, and there's an annual salary listed of \$55,000, and the pay period – this is the first of the pay slips I take it – is between 2 July, 2018, to 8 July, 2018.---Ah hmm.

30 Which seems to line up with the induction document that we just looked at. ---Yes. Yep.

And if we can skip ahead to page 172 of the exhibit. So this, correct me if I'm wrong, Mr Duffy, is the last pay slip that was issued in relation to Ms Hu. You can see on the left-hand side the pay period is 8 October to 14 October, 2018. Does that accord with your recollection of the period on which she was on the books?---I, I, I think so, yeah, it was a three-month period, so, yeah, from July to October.

40 So pursuant to the training agreement, you had her on the books for three months?---Yes. Yes.

You paid her a salary?---Yes

And you generated pay slips for her?---Yes.

But you were reimbursed those moneys?---Yes.

How were you reimbursed those moneys?---I think I was reimbursed, it was in cash, and I think I was reimbursed prior to her being employed.

So you were given a lump sum in cash?---Yes. Yes.

In advance of her employment commencing?---Yes.

By whom?---By Maggie.

10 Where?---It would have been in our office.

And in what form, cash?---Cash, yes.

And how did she deliver it to you?---Oh - - -

Was it the bulging jacket pockets again, or was it an envelope?---No, I don't remember the bulging jacket pockets, this time.

20 So it probably wasn't, because you'd probably remember that.---It was a, it was probably an envelope.

So I think you've already accepted this before, she wasn't truly a paid employee of Great Southern Electrical, was she?---No, she wasn't, but I was surprised when she didn't turn up.

THE COMMISSIONER: And what did you do with that cash for the salary, Mr Duffy? Did you put that through your books?---I was, no, we just spent it in the business.

30 So did you keep it on your business premises?---I don't, oh, either, no, it wouldn't have, oh, it may have been kept in a locked drawer. Yes. Or it may have been kept at home in the safe.

MR BROWN: But you didn't receipt it into the business, the cash, but did you actually pay her money into an account?---Her wages.

Yes.---Yeah.

40 You did?---Yeah.

So she was only engaged with you for a period of three months. I think you've already indicated that.---Correct.

You never raised with immigration authorities that she hadn't been employed with you for a period of two years?---No.

And you never advised immigration authorities that you'd been paid her salary in advance to dole out to her?---No.

You never advised them that you received a cash payment as an incentive for - - -?---No, I didn't.

Is that because you knew that you were involved in an illegitimate and likely illegal scheme by that stage, Mr Duffy?---By the time she didn't turn up, yes.

10 And just to confirm, you were paid a total of \$30,000 in connection with the placement of Ms Hu, leaving aside the salary?---Yep.

How did you receive the final instalment of \$28,000?---Again it would have been in cash in, in an envelope probably.

Can you specifically recall that event?---I can, but I can't remember what it was in.

Whereabouts was it delivered to you?---It was in our meeting room upstairs.

20 THE COMMISSIONER: In your?---In our meeting room at our premises.

MR BROWN: At Great Southern Electrical?---Yes.

And who delivered the cash?---Maggie.

Did you ever receive cash from anyone apart from Maggie in connection with these immigration placements, any of them?---No.

30 What did you do with that cash?---I kept it in a safe for a while and then I, I banked it and I, I raised an invoice for it.

And if we could just bring up a document. I think Mr Grainger understands the document I'm speaking – do you recognise that document, Mr Duffy? ---I do, yes.

And can you just explain to us what that document represents?---It's an invoice for training for Amber Hu sent to Perigee, which is Maggie's company.

40 Now, was that document actually sent to Maggie's company?---No.

So you put it through your books, that \$30,000 cash?---Correct.

But you never actually sent this invoice.---I don't believe I did, no.

THE COMMISSIONER: And this is dated 17 May, 2019.---Yes.

Which was, I take it, some considerable time after you received the \$30,000?---Correct.

Do you remember when you received that \$30,000? I understand you received it in three lots, two of \$1,000 each and then \$28,000. Is that correct?---Correct.

And do you recall approximately when you received the \$28,000?
---I'm pretty sure it was at the same time that, probably around the same day
10 that Maggie was there and Amber was there. The whole thing was done.

So in July 2018?---Yeah.

So did Maggie come with - - -?---She did.

- - - Amber the day she was inducted?---She did, yes.

MR BROWN: And if we just scroll down to the next document. Is that a
20 receipt for the banking of at least part of that sum of money, Mr Duffy?
---Yes, correct.

What happened with the balance of the \$30,000?---I, it was spent in the business.

THE COMMISSIONER: So as I understand this receipt from Westpac, the moneys you deposited were in various denominations of \$100, \$50 and \$20. Is that correct?---Correct.

MR BROWN: If we just go back up to that, just noting the amount is
30 \$24,505 on that receipt. If we can just scroll up to the document above, and if we look at the amount applied on the bottom right, that seems to match up
- - -?---Correct.

- - - with the amount that you banked.---Yes.

THE COMMISSIONER: That's an invoice for \$5,495.---No, there's a balance due of \$5,495.

That's what I mean. Well, that's what an invoice is, usually. That's the
40 amount – theoretically, because you haven't delivered this – that you were claiming from Ms Wang from Perigee. Was there a logic to that, Mr Duffy?---No. The, the logic was that I had been paid \$30,000 and there was an invoice for \$30,000 and I had receipted \$24,505 because that's the amount I had received.

MR BROWN: Because that's the amount you had left.---Sorry, not the amount I had received, the amount that was left, yes.

Sorry to swap back and forth, but if we can go back down the document below, being the receipt. Whose handwriting is that on the invoice?
---That's Paige Moorhead, our CFO.

And that document was provided to the Commission by your counsel this morning, these documents?---No. These ones I think you may have already had. No - - -

10 Well, at least a copy of these documents was provided by your counsel this morning, is that correct?---Correct.

I tender the document, Commissioner, the two documents, being the invoice and the bank receipt in relation to the \$30,000 payment.

THE COMMISSIONER: Very well. The invoice dated 17 May, 2019, and the accompanying Westpac records will be Exhibit 190.

20 **#EXH-190 – TAX INVOICE AND WESTPAC STATEMENT OF
GREAT SOUTHERN ELECTRICAL DATED 16 AND 17 MAY 2019
RE AMBER HU**

MR BROWN: So that was banked in May of 2019, correct?---Ah hmm.

Did you still have any of the payment from Ms Zong remaining at that time?---I think they were banked pretty well at the same time. But two different banks and two different businesses.

30 Did you take a photo of the remaining cash from the Ms Zong placement before you banked it?---Yes.

If we can bring up volume 20, page 184, of the public inquiry brief. This doesn't form part of the exhibit in relation to (not transcribable). Is that the photo that you took of the cash, Mr Duffy?---Yes.

40 THE COMMISSIONER: Was that bag given to you by Ms Wang when she delivered it to you, or is that what you kept it in?---The plastic bag was given by Ms Wang. The other one I think was a, was bag I had.

MR BROWN: I tender the document, being the photo of the cash remaining from Ms Zong's placement as at May of 2019.

THE COMMISSIONER: That will be Exhibit 191.

**#EXH-191 – PHOTOGRAPH TAKEN BY S DUFFY OF CASH
REMAINING FROM ZONG PLACEMENT AS AT MAY 2019**

THE COMMISSIONER: Do you recall approximately how much this was, Mr Duffy?---It was close to 28 or 29,000.

MR BROWN: I might be able to assist with that. If volume 26 of the brief, pages 218 and 19, can be brought up. Is that a photo that you took of the cash immediately before you banked it, Mr Duffy?---Yes, correct.

10 And if we scroll down, do you recognise that as being the receipt from the -
- -?---Yes, correct.

And again, this is in relation to the cash that was remaining from Ms Zong's placement?-- -Ms Zong, yes, correct.

And the amount remaining was \$27,300?---Yes, correct.

I tender those two documents, being the photo of the cash banked and the
20 receipt for \$27,300 with respect to that Ms Zong placement.

THE COMMISSIONER: That will be Exhibit 192.

**#EXH-192 – PHOTOGRAPH AND RECEIPT OF CASH
REMAINING FROM ZONG PLACEMENT**

THE COMMISSIONER: That actually looks like the butt of your deposit
30 book, Mr Duffy.---I don't know.

That doesn't appear to be a bank receipt, does it?---I didn't physically bank that, so I don't know.

MR BROWN: Now, you gave some evidence yesterday about having raised an invoice with respect to the payment you received from Ms Zong? ---Correct.

If that invoice can be brought up. Is that the invoice that you raised?---It is,
40 yes.

And it's addressed to Perigee?---Yes.

Did you ever actually send that invoice, Mr Duffy?---No.

And it's in the amount of \$27,300, which seems to match up with the amount that you banked.---Yes.

I think you gave some evidence yesterday that you'd raised this invoice with respect to the full \$50,000.---I thought I had, but obviously I haven't. I - - -

So you're mistaken about that?---Yes, correct.

And this invoice is dated 12 June, 2019.---Yes.

And if we scroll down on the document, that seems to be a receipt from the bank.---Yes.

10

Now, these documents were provided, you understand, to the Commission last night?---Yes, correct.

I tender those documents, being the invoice raised with respect to the first payment for the Ms Zong placement, and the associated bank receipts.

THE COMMISSIONER: That will be Exhibit 193.

20 **#EXH-193 – D&M ELECTRICAL COMMUNICATIONS INVOICE
DATED 12 JUNE 2019**

THE COMMISSIONER: Is that a Post-it note on the left-hand one, Mr Duffy?---It is.

Do you recognise, is that your handwriting?---No, that was Ms Wang's handwriting.

30 How did Ms Wang, that came to be - - -?---Because if you, if you go back and have a look at the photos of the cash, there were tabs on the cash.

Yes.---With, with the amounts on them. And that was one of the, I think that was one of the tabs.

Had she written, had she identified each bundle as being \$5,000 or something?---Yes, yeah.

40 So those were Post-in notes she put on it.---Yes.

And they were on it when you received it from her.---Correct.

Was there a third page in this, Mr Brown?

MR BROWN: Yes, I believe there was.

THE COMMISSIONER: So I think that's – I see. So that's the document we saw earlier.

MR BROWN: Yes.

THE COMMISSIONER: So \$9,800 were in \$100 bills, and \$17,550 bills. So this was banked to NAB and the other one was banked to Westpac. Was there a reason for that?---There was. Great Southern Electrical banks with Westpac, and D&M Electrical used to bank with NAB.

10 And they were the respective putative employers, were they?---Yeah, well, back when this whole – I only started work with Great Southern Electrical in 2016, so - - -

And this last one was when you were in relation to Ms Zong, and so that was when you were still with the other company?---Yes.

The name of which, I'm sorry, I've forgotten.

MR BROWN: D&M Electrical.---D&M Electrical.

20 THE COMMISSIONER: Thank you. D&M Electrical.

MR BROWN: And Ms Zong's placement was, in fact, with D&M Electrical.---Correct, yes.

And Ms Hu's was with Great Southern Electrical.---Yes.

I just want to take you back, Mr Duffy, to when you were first introduced to Maggie Wang.---Mmm.

30 You indicated yesterday that that was late in 2012 at Parliament House. --- That's my best guess.

That's your best recollection. Can you remember the introduction?---I can. It was after, it, it was a ceremony for Daryl for, I think for his time in parliament, so there was drinks and canapes, and then I think at the end of it Daryl came up and we were chatting, and he, and he introduced me to Maggie Wang. He said Maggie worked for Immigration, well, not worked for Immigration, she was involved in immigration.

40 What did you understand was the nature of the relationship between Mr Maguire and Maggie Wang?---I thought they were just friends.

Just friends. You didn't understand there to be any business relationship between the two of them?---No. No, I didn't.

Just want to take you back to some of the SMS messages that we looked at yesterday. If the schedule of SMS can be brought up. Now, this is just a

summary of SMS messages, not all of which involve you, Mr Duffy, and in fact few of them involve you, but they do concern you.---Mmm.

This is just a slightly easier-to-digest format than what you were shown yesterday. The first three messages on that page you were taken to yesterday, which relate to events in January 2013, the bottom four related to events in December 2013, remembering your evidence from yesterday was that you picked Ms Wang up from the airport in January of 2014.---Yes.

10 So, have a read in particular of those December 2013 messages, and I'll ask you some questions.---The December ones? Yes.

Does that assist you at all with your recollection of how this immigration placement commenced, Mr Duffy?---Yeah.

Do you remember having conversations with Mr Maguire in December of 2013?---Not, no, I don't.

20 Do you remember telling Mr Maguire that you needed a Chinese-speaking staff member?---Well, that was around the time that Susan had finished up with us, so quite possibly, yes.

We'll just look at the dates of these messages, Mr Duffy. They're within a period of two days of you having spoken to Mr Maguire. On one reading of these messages, you've sent financials through to Ms Wang, which is part of the, it's the first step in the process of one of these immigration placements. ---Yeah. Correct.

30 Do you remember preparing those financials for Ms Wang?---No, I don't.

THE COMMISSIONER: It's just after I think Ms Song had stopped working for you, according to the document you produced yesterday. ---Yeah. That would be correct. But I, I, a staff member would have prepared the documents.

MR BROWN: Do you recall requesting a staff member prepare the documents?---No, I don't, no.

40 So Ms Song had finished working for you. She had assisted you, I take it, in your endeavours in China?---Yes.

Because she could speak Chinese.---Yes.

You knew Mr Maguire was well connected in China?---Correct.

Did you reach out to Mr Maguire in relation to sourcing someone who might be able to assist you?---I don't recall, but that's quite possible, or he might have reached out to me, I'm not sure.

You just have no recollection of conversations with Mr Maguire around this time?---No, I don't, I'm sorry.

It appears from these SMS messages that you spoke to him on consecutive days on 9 and 10 December. Did you often speak to him on consecutive days?---No.

10 Were you that close with him that you were frequently in contact in consecutive days?---No.

I'm sure this must stand out to you, Mr Duffy.---Oh, look, it, it does, but yeah, I don't remember.

Do you recall associating Mr Maguire with Maggie Wang, at the time that you agreed to engage in this immigration process?---I associated them, but I didn't know that Daryl was a part of the process.

20 THE COMMISSIONER: But it was through him that you met Ms Wang?
---Yes, correct.

Do you remember him telling you that Ms Wang in fact was in something called the G8way organisation?---No.

So I think you were asked about this yesterday, you had some idea of what G8way was in connection with Mr Maguire, did you not?---I thought G8way was a way for local Australian producers, particularly Riverina producers, to export produce into China.

30 MR BROWN: Did you understand Mr Maguire to be involved in the G8way organisation?---No, I didn't. I, I think I said yesterday that I thought Daryl was just helping local people as a, as a, as a local member, as a politician.

I tender the schedule of SMS messages across dates - - -

THE COMMISSIONER: That will be - - -

40 MR BROWN: Sorry, Commissioner, across dates 16 January, 2013, to 11 December, 2013.

THE COMMISSIONER: Thank you, Mr Brown. That will be Exhibit 194.

**#EXH-194 – SCHEDULE OF TEXT MESSAGES BETWEEN
MAGUIRE, WANG AND DUFFY DATED 16 JANUARY 2013 - 11
DECEMBER 2013**

MR BROWN: When did you last speak with Maggie Wang, Mr Duffy?
---I think it was in February of 2019.

And what were the circumstances in which you spoke to her?---She came to my office.

Your office at Great Southern Electrical?---Yes, correct. And my office is upstairs so somebody met her at the door and said that, "There's someone here to see you," and they, she, she, I'm pretty sure she introduced herself as Amber. So anyway, I went - - -

To you or to somebody else?---No, to the person who answered and welcomed her.

Because obviously you knew who she was.---Yeah, correct. So I walked downstairs and we had a brief conversation. She looked quite fidgety, quite uncomfortable.

20 What did she say?---Well, I asked her what she was doing here and she said she, she came to make sure that I was okay because I tried to call her when she was in China, and the only reason I was trying to call her was, so where's Amber, why isn't she here. And then I'm pretty sure she produced a document and she said, "I don't, I didn't know that what I was doing was illegal."

Can you recall what the document - - -?---I think it was a document from Immigration.

30 Was anything further said by Ms Wang?---I said to her, she said to me, "If anyone asks about a contract it never existed." And I said to her, "Who's going to ask?" And she said, "No one." And then I said, "Well, I, I can't help you," and I said goodbye and walked away. I went back up to my office. She came back not long after.

THE COMMISSIONER: To your office again?---Yeah.

Your business premises?---Yeah.

40 How soon after?---Oh, it was only - I can't tell you exactly but - - -

Approximately?---Might have been half an hour, 15 minutes.

Oh, the same day.---Yeah, the same day, yeah.

I see. Yes.

MR BROWN: Did you make any notes of that event?---I did, I wrote it in my diary.

And when did you write it in your diary, at the time it happened or - - -?
---I spoke to Paul about it a little while after and he suggested I write it.

THE COMMISSIONER: Paul?---Paul Grainger.

MR BROWN: Mr Grainger.

10

THE COMMISSIONER: Mr Grainger.---Mr Grainger, yes.

MR BROWN: Page 182 of volume 20 can be brought up. Do you recognise that as the diary note?---Yes, yes.

So that date of 25 January, you say that's the date that she turned up?
---Correct. At 4.00pm.

20 You didn't necessarily make this note on 25 January but that's your best recollection of the date that she turned up?---Correct, yes, yeah.

And if we just scroll down to the next page. Just have a - - -?---It was only, sorry, it was only five minutes later she turned back up again.

Just have a read of that, Mr Duffy.---Mmm.

Is that your best recollection of those events?---Correct, yes.

30 I tender the document, being the diary entry for 25 January, 2019, which is two pages.

THE COMMISSIONER: That will be Exhibit 195.

#EXH-195 – DIARY ENTRY OF S DUFFY ON 25 JANUARY 2019 RE CONTACT WITH MAGGIE WANG

40 MR BROWN: Do you recall if Maggie Wang made any further contact with you after that day?---No, that was the last time.

Are you quite sure about that? Have a think. Not necessarily actually spoke to her, but do you recall that she made any further attempts at contacting you after that point?---I don't think so, no.

I'll see if I can help your memory. Volume 26, page 204. That's an email from you to Mr Grainger dated 19 March, 2019, Mr Duffy. Just have a read of the body of the - - -?---Oh, yes. She did come again but I wasn't there.

So on 19 March, 2019, at about 3.10pm, you were advised that Maggie Wang attended your office and tried to speak to you?---Correct. Yep.

I tender that document, Commissioner, being an email from Mr Duffy to Mr Grainger on 19 March, 2019.

THE COMMISSIONER: That will be Exhibit 196.

10

#EXH-196 – EMAIL DUFFY TO GRAINGER DATED 19 MARCH 2019 RE CONTACT WITH MAGGIE WANG

MR BROWN: Mr Duffy, do you accept, as you sit there now, that what you were involved in was an immigration scam?---Yes.

You weren't really being paid money for training, you were being paid for facilitating visas, weren't you?---Correct.

20

And as you understand it, that's what these applicants were really interested in, wasn't it?---Yeah. That became quite obvious.

And the training fee was really just an incentive payment to get you to go along with it, wasn't it?---Ah hmm. Yeah.

And it was never the case that these were intended to be true paid employment relationships, was it?---No. I mean, it became clear but I thought Amber would work for us, so, that clearly didn't happen.

30

Well, you understood from at least the time that Maggie Wang started pulling bundles of cash from every pocket of her jacket that this was - - -? ---Yeah, it was pretty dodgy.

- - - pretty dodgy. Probably illegal?---Perhaps, yeah.

And that's part of the reason you didn't bank the cash at the time, isn't it? ---Possibly.

40

Well, have a good think about it. Is that why you didn't bank the cash, Mr Duffy?---No. I, I asked her when, when she turned up with all the cash the first time, if I was able to give her an invoice, invoice the money, and I would have banked it at the time.

And she said no, didn't she?---Yes.

Didn't that raise your concerns?---Yeah.

THE COMMISSIONER: Well, she did give you a receipt.---She gave me a receipt, yeah.

Without an invoice.---An undated receipt.

Yes, an undated receipt for the – I think that was the receipt for \$48,000, wasn't it?---48,000, yes.

10 MR BROWN: And yet you still went ahead with further applications after that point, didn't you?---Yes.

You seem like a fairly down-to-earth guy, Mr Duffy. You have got some good qualifications. You have worked hard to build up a business. Why did you go along with this scheme notwithstanding your concerns?
---Primarily because I was still interested in getting someone who could speak Chinese.

20 Was there anything about the circumstances in which you had been introduced to the scheme that made you think it might be legitimate? Have a good think about it.---I honestly didn't know what the process was before I was introduced to the scheme, so I didn't know what the correct process was.

But you had concerns along the way, didn't you?---After the, the money turned up in my jacket, yes.

30 And was there anything – once you started having those concerns, was there anything about the way in which you had been introduced to the scheme that assuaged some of those concerns you were having, that made you think it was legitimate?---No.

When did you last speak with Mr Maguire?---I haven't spoken to Mr Maguire for, probably since 2017 or '18. Mr Maguire did send me a text message in July of this year.

And what was in that text message?---He said he was out west. He needed power on his house. He remembered that I wanted to go out and have a look. He said the weather was great, "Why don't you fly out?"

40 Did you respond to that text message?---I said, "Look, I can't help you. If you want the work done, here's the number. Ring these people." Which was my office number.

Have you had any other contacts with Mr Maguire between July 2018, which is when he gave evidence before this Commission in Operation Dasha, and - - -?---Since I, since the, the, the private hearing?

No, no.

THE COMMISSIONER: Since he left parliament.---Yeah, we were, my wife and I were away at Kangaroo Island, and when we – that was in about June or July, wasn't it?

MR BROWN: July 2018 was when he got - - -?---Yeah, so my wife and I were on Kangaroo Island and didn't know anything about it. We came back and Daryl was all over the news, all over the papers. So I sent him a text message saying, "Hope you're okay." He sent me a text message back saying, "I, yeah, I'm okay," and that was fine. Then there was another time not long after that – oh, his, his son-in-law had passed away and he wanted to know if I could fly him up to Queensland in a hurry.

THE COMMISSIONER: If you could fly him?---Yes.

Are you a pilot?---Yes.

MR BROWN: Any further communications? Did you, well, did you respond to that?---I just said, "No, I can't. Ring Wagga Air Centre."

20

Any further communications after that?---I don't believe so, no.

That's the evidence, thank you, Commissioner.

THE COMMISSIONER: Thank you, Mr Brown. Mr Harrowell, do you have any questions?

MR HARROWELL: No, Commissioner.

30 THE COMMISSIONER: Mr Kirby?

MR KIRBY: Thank you. No, Commissioner.

THE COMMISSIONER: Very well. Shall I release Mr Duffy, Mr Brown?

MR BROWN: Yes, Commissioner, in my submission.

THE COMMISSIONER: Very well. Mr Duffy, you're released from your summons. You may leave the witness box.---Thank you very much.

40

THE WITNESS EXCUSED

[10.22am]

MR ROBERTSON: Commissioner, the next witness will be Mr Wood, but can I respectfully suggest that occurs after a brief morning tea adjournment.

THE COMMISSIONER: Yes.

MR ROBERTSON: Can I also indicate, for the benefit of those following along, that I won't be calling Mr Allsopp today as originally announced, so the only further witness today will be Mr Wood. I expect to be finished with him comfortably by lunchtime.

THE COMMISSIONER: Very well.

10 MR ROBERTSON: So on this occasion I can say with a reasonable degree of confidence that today will be a short day.

THE COMMISSIONER: So shall we take a 15-minute morning tea?

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: And then sit through until you finish with Mr Wood.

20 MR ROBERTSON: That's what I propose, if that's convenient.

THE COMMISSIONER: Subject to (not transcribable) prior to lunch.

MR ROBERTSON: May it please the Commission.

THE COMMISSIONER: Very well. We'll adjourn for 15 minutes.

SHORT ADJOURNMENT

[10.23am]

30 THE COMMISSIONER: You're Mr Peter Wood?

MR WOOD: Yes.

THE COMMISSIONER: Yes. I gather you wish to take an oath?

MR WOOD: Yes.

THE COMMISSIONER: I'm sorry, interrupted you, Mr Robertson.

MR ROBERTSON: I was simply going to call Mr Wood which has now been - - -

THE COMMISSIONER: Very well.

10

MR ROBERTSON: Can I assist you by indicating Mr Wood isn't represented, although the general procedures that are about to be adopted have been explained to him and, as I understand it, he wishes for you to make a declaration under section 38 of the Independent Commission Against Corruption Act.

20

THE COMMISSIONER: Very well. Thank you, Mr Robertson. Mr Wood, would you listen to what I'm about to explain to you very carefully, please. As a witness you must answer all questions truthfully and produce any document described in your summons or requested by me to be produced. You may object to answering a question or producing an item. The effect of any objection is that although you must still answer the question or produce the item, neither your answer or the item produced can be used against you in any civil proceedings or, subject to two exceptions, in any criminal or disciplinary proceedings.

30

The first exception is that this protection does not prevent your evidence from being used against you in a prosecution for an offence under the Independent Commission Against Corruption Act, including an offence of giving false or misleading evidence, for which the penalty can be imprisonment for up to five years. The second exception only applies to New South Wales public officials, and I don't understand that you're in the position of a New South Wales public official, so I won't read you that exception. But I can make a declaration that all answers given by you and all items produced by you will be regarded as having been given or produced on objection. That means you don't have to object with respect to each answer or each item you may produce. And I gather from what Mr Robertson has said, you wish me to make such a declaration?---Yes.

40

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

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

10

THE COMMISSIONER: Yes, Mr Robertson.

MR ROBERTSON: Can you state your full name, please?---Peter James Wood.

And are you one of the partners of the business that trades as Creative Business Furniture?---Yes.

20 Do you know Mr Daryl Maguire?---Yes.

How do you know Mr Maguire?---I've known Mr Maguire, Daryl, for over 30 years. We served on chamber of commerce and a few different things like that. We've been friends of their family, Daryl and Maureen, for all that time.

Have you ever travelled to China with Mr Maguire?---Yes, I have, twice.

30 And tell us about the first of those occasions.---First was a long, oh, it was with the chamber of commerce for a sister city relationship with Kunming Chamber of Commerce.

Was that while Mr Maguire was a member of parliament or before he was a member of parliament?---No, before. Before.

40 And then on the second occasion, was that while he was a member of parliament or before?---Second occasion, yes, yes. Yeah, he, he rang me and asked – he, he knows our business, like what we do in the commercial joinery and furniture and chairs, all that type of stuff. He said, “Is there anything you need?” And I said, “Yes, there is.” We deal in a lot of high-end products like chairs, we supply corporate, government, you know, gaols, everybody and I've got to have the best they can get, but there's a bit of a missing part in that, in that chair industry, and that's a lower, a lower chair quality but reasonable quality, not that you buy at, I won't say who, but we do a lot of farm, farming, rural work and, and the parents that will say to me, “I need a chair for my son or daughter, or we just need a chair for the office to whack in there so they can do their homework, but we don't want more top end but we want a medium price, but a good, a reasonable

quality,” and that’s the reason why I went, to look for that type of chair. And also we do a lot of this type of thing, the fold-up tables and, you know, for conferencing and so forth, and if I could find something like that I was interested in looking at it.

So was Mr Maguire’s suggestion that you may wish to accompany him on a particular trip, is that right?---Yeah, that one, yeah.

And who paid for that trip?---We did.

10

By which you mean your business?---Business.

Did you pay for all of the expenses, both in terms of flights and the like and accommodation and the like at the other end?---Yeah, everything.

So everything including transfers, visas, things of that kind?---Yeah, exactly.

In terms of the organisation for that particular trip, was that all organised by your business or was some assistance provided in relation to that by - - -?
---Well, I think they, Daryl told us what we’ve got to do.

20

Well, let me give you an example. For example, what about visas, were visas organised by you or by someone else?---Yeah, no, I, I got the visas, I got the visas.

You organised those?---Yeah.

So were you given any assistance by Mr Maguire or Mr Maguire’s office in relation to the organisational side of that trip?---Oh, I presume, I presume, if I can remember correctly, there would have been an itinerary, getting there and coming home and all that sort of thing, and then I think Daryl would have organised for me to go on field trips, I did two in two days.

30

THE COMMISSIONER: In China?---In, in Guangzhou. And I just couldn’t find what I wanted and like, it was quite interesting but I couldn’t find the quality.

MR ROBERTSON: And was it just you and Mr Maguire or were other people in attendance as well?---Oh, no, there was other people from Wagga looking for similar, not similar, but there were some people in the rural industry looking for steel posts, you know, the star posts, all that, you know, the rural. I think one gentleman who I know, he’s the manager of the Riverina Co-Op who supplies all that type of stuff, stockfeed and everything to go along with the rural community, he was - - -

40

What was the name of that gentleman?---Kevin Salmon.

Can you remember the names of anyone else who accompanied on the trip?
---Eldridge.

And which one, if I can ask it that way?---(not transcribable)

Alan Eldridge perhaps?---Alan, Alan, yes.

Anyone else you can recall?---Oh, it was a bit of a blur I'm sorry, I - - -

10 And so what was Mr Maguire's role in that trip? By the sounds of it he or at least his office organised the itinerary for the trip?---Yeah. And Daryl took us around. He couldn't do everybody of course but he came with me, being in the furniture industry for many years, and he took us around by the advice of the, of whoever where maybe we should go.

When you say he was in the industry for a number of years, you're referring to Mr Maguire?---Yeah.

20 And Mr Maguire I think was a Harvey Norman franchisee at some point - - -
---Harvey Norman, in furniture.

- - - and sold furniture as part of that, that business.---Yeah, that's correct.

And so was it Mr Maguire who was in effect organising the China end of the trip or did he have some Chinese associates who assisted in showing people around and things of that kind, can you remember?---I'd say he would have. I can't - - -

30 Was there any particular Chinese individual you can recall - - -?---Oh, hang on, there - - -

- - - who was showing someone around and saying, "Look, here's some potential business positions?"---Gordon Tse, he, he owns a, he owns a chain of restaurants over there in conjunction with the police chief's wife, so I've heard, so I've been told, and they also have some manufacturing plants, maybe something like us, and I think his different managers, and I think that's right, they took us around, they drove us around in these people-moving cars.

40 So you have a recollection of Mr Gordon Tse, which I think is T-s-e - - -?
---T-s-e.

- - - playing some role in the Chinese end of the trip?---Probably organisation, organising transport and - - -

Organisation, getting transport, things of that kind.---Yeah.

Perhaps even identifying the people that you might be able to speak to. Is that right?---Yeah, well, I'm pretty sure he's got a couple of component factories so he'd know where to send us.

Do you happen to recall what organisation Mr Tse is associated with?---No, I'm sorry, I can't.

10 THE COMMISSIONER: When was this trip, Mr Wood, do you remember? Roughly?---Gee, five, oh, it could have been five years ago or something like that.

So around 2013, something like that?---Yeah, somewhere around there. I, I can't remember the dates, so probably - - -

2015, I should have said, sorry.---2015, oh, it could have been. It's a - oh, hang on. We were coming back from the field trip, and I received a, a phone call from the wife that my father had passed away.

20 MR ROBERTSON: I'm sorry.---And he's been gone five years.

THE COMMISSIONER: So 2015?---Yeah. And that's when I had to come straight home.

MR ROBERTSON: Does the organisation Golden Sample, does that mean anything in particular to you?---No.

30 So what was Mr Maguire's role, at least on the Chinese end? He had some contacts in China, is that as you understood it?---Oh, yeah. Yeah, well, he know, he, I don't know much about it, but I know he kept in contact with Gordon Tse. And, and that's really all I know.

But what I'm trying to understand is why, as you understood it, why was Mr Maguire organising this trip. He's bringing over a whole lot of businesspeople from the Wagga area. What, as you understood it, was Mr Maguire's reason for setting up this particular trip?---Oh, I just thought it was to help his constituency in business.

40 Do you know whether - did that trip ultimately end up in you deciding to purchase any products from anywhere in China?---No. No.

Do you know whether there was any arrangement that if you did purchase products from China, whether anyone would be entitled to a commission or some other fee?---No, not at all.

Did you understand that Mr Tse, for example, would be entitled to a commission in the event that you went to a particular place and thought, well, here, I've found this middle-end chairs, for example, that I want to purchase and bring into Australia?---No, I'm not aware of anything - - -

Was there any discussion of anything of that kind, commissions, payments, anything of that lot?---No. Not at all.

But I suppose you might not have got to that point - - -?---No.

10 - - - in that you looked at a few businesses and things, and by the sounds of it you didn't find anything that you were looking at taking into Australia, is that right?---No, not at all. Not at all. Oh, safety reasons. There's a big, big thing in office industry, it's got to be safe, it's got to - - -

And so whilst you were hopeful of being able to do some deals as it were in China, it just didn't come off on that occasion, is that right?---No, not at all.

And indeed, you had to come back early from the trip for the reason that you identified before.---Yes, correct.

20 Have you had any business dealings of any kind with Mr Maguire, be they direct business dealings or be Mr Maguire referring you to some other person in relation to business dealings, and you can put aside the Chinese trip, because you've talked to us about that, but is there anything else of that nature that Mr Maguire has introduced you to?---Yeah, well, I, it, it wasn't long, it was only a few month ago –well, we'd been planning this for a while. Daryl's family came from a little town west, about five hours away – I'll remember the name in a minute, it's just – and he, there was two, there was two houses left in the estate, and he, his sister and him owned the houses. Now, he decided he was going to do the houses up, and hopefully lease them to the Road and Traffic when the big roads go through. And he asked me to do two kitchens. He didn't want to spend a lot of money,
30 because of where it is and what it is. So we made two cheap kitchens. (not transcribable) came and picked them a couple of weeks ago. And that's a dealing I've had.

Were there any business dealings or introductions for business dealings while Mr Maguire was a member of parliament?---No.

Did Mr Maguire ever introduce you to someone who might be able to assist you in your business activities?---No.

40 What about in relation to potential visa applicants or particular, or potential employees who may be able to assist you with your business?---Only the Maggie one.

So when you say "the Maggie one" what are you talking about there?

---Well, Daryl rang me and said are you interested in talking to this Maggie about bringing a, a Chinese national in and having him, what we want to use him for, which he was a trainee accountant. And I said, "Well, we'll have a talk to Maggie," and she rang, and she rang us and said, "Look, I'm coming

to Wagga, would you like me to see, would you like to see me?" I said, "Well, yeah, we'll have a talk." She came and told us all about this, about how it happens, why it happens, the, all the paperwork that's got to be done or whatever. And we were a bit dubious about it, a bit, not nervous, but we thought we'd better look into this. Anyway, she gave us the government papers. We had a look at them. We took them to our accountant. We knew that there was a \$30,000 given to us, \$30,000, but also it gave us an indication of what sort of money we would have to pay this person, and we thought, well, if it works out, the money that we were given, it would help with paying that person. So, anyway, we went to our accountant, who is 10 Bush & Campbell. Very prominent accountant. I think they're in the top 200. That doesn't matter. Peter King said to us, we showed him everything and he said, "Righto, any money you get, you, you put it through your work account, you pay the GST on it, and declare everything." When I got the money, exactly what I, what he said, we did.

So let me try and unpack all of that. So it was Mr Maguire who first approached you to suggest that you may wish to speak to Ms Wang? ---Yeah, correct.

20

And can you recall how that was done? Was that a telephone call or were you meeting with him or - - -?---I presume it was a telephone call from Daryl to me, and then he would have rung the lady and said they could be interested.

And just focusing on that first telephone call, what did Mr Maguire tell you about the kinds of assistance that Ms Wang may be able to provide you in relation to immigration?---I, I just think, if I remember, it's all a bit of a blur, but Daryl, I think Daryl said, "Are you interested in sponsoring a 30 Chinese national over here? You get paid to do it. Are you interested in that?" And my brother and I had suggested we can have a talk to Maggie.

Why did he think, as you understood it, that you might be interested in employing a Chinese national? Was that something that effectively came out of the blue?---Possibly to help our business. And the goal with, you know, there was nothing sent back to us on, that he has to be, what he has to do. We thought it would be handy to have somebody to help our office manager and accounts. Our business needs continual promotion because we work in education. We've got all the Riverina area. There's, I think there's 40 nearly 400 schools, which we target because we do a lot of work for them in administration, in, for their administration and seating joinery. And also classrooms, we do computer rooms, we do all that sort of thing. So it needs constant attention. Possibly two months ago I made a hundred and, a hundred, I think it was around a hundred phone calls to find out who do we talk to in, in Griffith Primary. And we find out who that is, we talk to them, which would, is the office manager or administration manager, and we have a little chat with them and I, and they, and they get us the correct email to send. Because if it goes to the principal, it will go nowhere. And to the

administration assistant, they just invariably don't pass it on or they throw it in the bin. So that's what we do, and we thought it would be handy to have this person doing, helping with accounts and promotion of our business, and if, if the work, enough work wasn't there, he could help out in the factory in some way.

THE COMMISSIONER: Had you met Ms Wang before Mr Maguire made this telephone call?---No. No.

10 So he introduced her to you?---Yes.

MR ROBERTSON: Just focusing on that first telephone call, I just want to make sure I understand the message that Mr Maguire's communicating. One of the things he said was, in effect, "Would you be interested in employing a Chinese national?" Is that right?---Yeah.

And I think you said that he communicated that there'd be some incentive or payment for your business if you did so. Do I have that right?---Yes.

20 Can you recall whether Mr Maguire said anything else as to the arrangements in that first telephone conversation?---No, not at all.

Did he give you any indication as to the amount of the incentive that it might be?---I can't recall that, but I know when Maggie came, she told us what it would be.

I'll come to that conversation in a moment.---Sorry.

30 But I just want to focus on what Mr Maguire told you. So he's introducing you to Maggie. He raises the issue about a Chinese national. He says that there'll be some sort of an incentive.---Yes.

So you at least agree with those three propositions. Can you recall whether Mr Maguire said anything else about what he was proposing that Ms Wang may be able to assist you with?---No. No.

And did you then make contact with Ms Wang or did she make contact with you, can you recall?---No, Ms Wang contacted us.

40 And do you recall approximately when that occurred?---No, I don't, I'm sorry.

Let me try and help you this way. Can we go, please, to volume 23, page 131. What I'm going to show you, Mr Wood, are some text messages taken from Ms Wang's phone, including certain text messages to you, and that might just help you in identifying the timing. They'll just come up on the screen that's in front of you. Can we just go to page 132, I'm sorry, the next page. Now, Mr Wood, if you just have a look at item number 84. So the

item numbers are on the left-hand side. It's an SMS message outgoing, so this is outgoing from Ms Wang's telephone on 7 February, 2013, and it's going to your phone. Is that your mobile telephone number near where it says "Peter Wood"?---Yep. I do remember that now. Yep.

And then if you just read to yourself the message on the right-hand side that starts, "Hi Peter. Thanks for calling today."---Yes.

10 Now, is it consistent with your recollection that the first time you had any communications with Ms Wang was in the lead-up to 7 February, 2013, being the date of the text message I've just shown you?---Well, it, it must be, yes.

And so Mr Maguire calls you, mentions Ms Wang. Ms Wang calls you first, is that your best recollection?---Daryl would have rung Ms Wang and Ms Wang would have rung me.

20 And then by the looks of it you've had a couple of conversations with Ms Wang, and by 7 February, 2013, Ms Wang is reporting back to you about the partnership structure and whether or not the partnership structure of your business might fit within the immigration scheme. Have I got that about right?---Yep, correct. Yep.

30 Now, you were starting to explain to me a little while ago what Ms Wang told you about the potential immigration matter, I think when you first spoke to her. Can you remember what Ms Wang told you?---No, I don't. It, it seems to be very simple. It seems to me it was quite simple how it was done and we just had, as I said we, she came and saw us, she explained a few things and, and as soon as I heard that the government were involved and it had to be approved by the government, I thought, well hey, this, this sounds okay.

So you said a little while ago, you used the word "dubious". Some of it seemed a bit dubious?---Oh, yeah. Anything like this - - -

40 What seemed a bit dubious to you?---Well, not dubious but you've got to be careful with these things. You know, we've, we've done the right thing in our business and, forever, and this is the first time anything like this has happened to us.

At least with the benefit of hindsight now, you agree, don't you, that what Ms Wang was offering you was very dubious? ---Well, I think so, yes.

So, at least with the benefit of hindsight?---With the, the amount of sleep I've had in the last two nights.

And we'll come to the details of how we get to this point, but you agreed to be part of the scheme that Ms Wang was offering, is that right?---Yes.

That was in contemplation of a Chinese national coming to work for your business, correct?---Yes.

That Chinese national never turned up, correct?---No.

10 Jumping back to what Ms Wang told you about the immigration scheme that she was offering you. So before you speak to Ms Wang, you know a couple of bits of information – Chinese national, Ms Wang’s involved and there will be some sort of an incentive – and as I understand your evidence, tell me if I have got it wrong, Mr Maguire didn’t tell you much more than those three critical matters before you spoke to Ms Wang?---No. Yeah, that’s correct.

And so I take it at some point in time, Ms Wang gave you a more detailed explanation as to how the proposed immigration scheme would work, is that right?---Yep.

20 Now, doing the best you can - - -?---I, I don’t remember a lot about it but I, I do - - -

I’m asking you about something that happened many years ago, so I accept your memory is not going to be crystal clear. But just doing the best you can, what did Ms Wang explain to you as what was involved in the immigration scheme that she was suggesting?---Well, as far as I remember, she just filled us in on this person that was coming, how long we would need to employ this person under the immigration, I suppose. And really, that’s about all I can remember.

30 So in terms of how long you had to employ this person, how long was that? ---She suggested three months.

Let me be clear about this. Did she ever explain to you that in order to obtain the visa that she was talking about, the employee would need to be employed on a full-time basis for at least two years?---No.

Are you quite clear about that?---Quite clear.

40 So it was three months with no obligation going beyond the three months. Is that right?---Yeah, yeah, that’s, that’s, yes.

Now obviously enough, if someone comes along and works for three months and you think they’re good, you might continue to employ them. ---Yeah, correct.

But is it right to say that, at least as you understood it, Ms Wang made it clear that your obligation as an employer would be three months and three months only. Is that right?---Yes.

Now, in terms of identifying the individual who might come to work for you and might obtain a visa, whose responsibility was that? Were you involved in attempting to advertise or identify the individual?---No, no.

So as you understood it, it was on Ms Wang's end that was going to deal with that matter?---Correct.

10 Do you know what the particular type of visa it was that - - -?---No, I don't.

- - - Ms Wang was talking about?---I had the, I was under the impression he was, he wanted to come to university in Sydney or Australia and he needed to come and work and a part of that was work in the country. That's what I thought.

And so you've referred to "he". I take it Ms Wang was identifying a particular individual who might come to work for you. Is that right?---Yes, but I don't know a name but - - -

20 So it wasn't the idea, was it, that Ms Wang was saying, "Well, look, there are lots of Chinese nationals who might be good for your business, I'm going to present you with 10 CVs, pick one?" Was it something like that, or was it I've got the man or the woman for you?---I've got the man and the woman for you.

So is it right to say then that you had no involvement in the selection process as to who it might be?---Yeah, correct.

30 Does the terms Regional Sponsored Migration Scheme, does that mean anything to you?---Not really.

Did Ms Wang or anyone else ever explain to you that one of the requirements of the visa that she was putting forward in relation to you was that the position could not be filled by an Australian citizen or permanent resident?---No.

40 Did she explain to you or did anyone else explain to you that one of the requirements was that there was a genuine need for the nominator to employ a paid employee to work in the position under the nominator's direct control?---No, I don't, I don't think so.

And did she explain or anyone else explain to you that it was necessary for the position to be located in regional Australia?---No.

So the arrangement, as you understood it, effectively was, here's a particular individual who you might want to employ, we'll take care of the paperwork. ---Exactly.

You'll get a fee. Your obligation is three months and no more.---Yes, correct.

And obviously a sensible business proposition from your perspective in that everyone else is going to do the work and you're going to end up with a fee. Is that fair?---Well, the idea was and the thought was that that fee of \$30,000 would cover the cost of having that person there, and of course it helps our business.

10 And so just to be clear about that, is that the whole of the fee that was offered to you, \$30,000?---Correct.

Were you offered any subsidy in relation to the actual employment costs? ---No.

And so the arrangement was, as you understood it, or at least the proposal, employ this individual, we'll do the paperwork, you have to pay them for a period of at least three months?---Yes.

20 Including superannuation and all the usual on-costs.---Correct.

And you would receive a \$30,000 fee in connection with that by way of an incentive payment. Is that right?---Yes.

But no more than the \$30,000?---No.

Now, you were introduced to a possible individual by the name of Kang. Does that ring a bell, K-a-n-g?---Kang.

30 As the potential employee for your business. Does that name ring a bell? ---I wasn't introduced to anybody.

But you ultimately agreed to be part of the scheme that Ms Wang was talking about. Is that right?---Yes.

And just explain to us how that worked, how that came about. So as I understood what you said, Mr Maguire introduces you to Ms Wang, you have a telephone conversation or two with Ms Wang. Did you say before that Ms Wang actually attended on you in Wagga?---Yes.

40

And just explain to us what happened during the course of that meeting. ---Well, she just explained everything in plain English and we accepted that but we needed some proof of what was happening and she sent us the paperwork and that's when we went to our accountant.

So I think you explained that at about that point in time you thought it looked a bit dubious?---Oh, anything like that, in business you've got to look out, look out for things.

And so you were a bit – you wanted to make sure that it was on the straight and narrow, so to speak.---A hundred per cent. Exactly.

I think you said that you were comforted by the fact that there was some government involvement or approval?---Yes, correct.

10 What did you mean by that?---Well, the paperwork was, it was a government document, as far as I can remember. We went through it, and we thought, and that's what, when, what we took to our accountant.

So the paperwork that Ms Wang presented to you looked like legitimate government-related paperwork?---Yeah, correct.

And that gave you some comfort in deciding to go further?---Yes, it did. Yes.

20 Did it also give you some comfort that your introduction to Ms Wang came from Mr Maguire, a member of parliament?---Yes.

I was asking you before about the idea that a position cannot be filled by an Australian citizen or permanent resident. Before being involved in this immigration scheme with Ms Wang, did you advertise the role at all?---No. No, we didn't.

Was it suggested to you that you should advertise the role?---No.

30 To your knowledge, did Ms Wang or anyone at Ms Wang's end advertise the role?---No. No.

THE COMMISSIONER: Mr Wood, you said that you didn't need a person, in effect, to promote the business around the locality. Was there something about a Chinese person which made such a person better able to perform such a role than somebody from the local town (not transcribable)?--- Oh, no. No, Commissioner. No, well, we had no intention of putting anybody in, but when this was offered to us, we had a really good think about what this person could do.

40 What they could do for you.---What they could help us with.

I see. They could stop you having to make a hundred phone calls yourself. ---Yes.

Thank you.

MR ROBERTSON: Just back on the previous question I asked you about job advertising. Just have a think about whether Ms Wang ever said

anything to you or whether you said anything to Ms Wang regarding advertising the position.---No. No, not at all.

Do you recall whether Ms Wang ever said to you that, “Look, if you receive any job applications for this job, don’t do anything with them, just forward them onto us”?---Nothing was said.

Are you sure about that?---Yes. I, I’m pretty, I’m pretty sure.

10 Can I help you this way? Can we go to page 137 of volume 23, please? And I’m going to show you again a text message, and again this will be a text message from Ms Wang to your telephone, which I hope might refresh your memory on the particular topic I’m now asking you about. If you could look at item 139, which is at the very bottom of the page, outgoing to you could you just read that message to yourself, and let me know when you’ve done so.---I think that email would have slipped my mind, I’m, I can’t remember.

20 Well, it might have slipped your mind, but does it now jog a recollection as to why Ms Wang would be saying what you should do in the event that you receive any job applications?---No.

There’s a reference there to Monika. Who’s Monika?---I think that might be her office person, in Sydney.

Have you ever met Monika?---I have. I have.

30 In what circumstances did you come to meet Monika?---Well, Maggie asked me to go to, come to Sydney. She’d pick me up from the airport, and we’d finalise the deal, finalise what we were going to do. And at, that’s where I met Monika.

And where did you meet Monika, can you remember?---At her, at Maggie’s office, where I can’t remember where it was. It was inner west somewhere, I think.

Do you recall roughly when that meeting with Monika was?---No, I’m sorry, I can’t remember any dates.

40 Let me – and I’m asking you about things some time ago, so I’m not expecting a crystal-clear recollection.---Yeah.

But I’ll help you again by way of the text. If we go to page 154 of volume 23. And if you can have a look, please, at item number 303. Again, from Ms Wang to you. And if you have a look, we’re in September of 2013.---Righto.

So you remember I showed you some texts before we started, in about February of 2013, and we moved then a little bit forward, about job applications in March of 2013. We're now in June of 2013. "Peter, let me know the best time you can pick me up from the airport." Does that help you, if that message was received in September of 2013, does that help you fix a time in your mind?---It would have been. I, I can't really remember a lot of this, but I think it would, that, that'd be correct, yes.

10 So did you have multiple meetings with Ms Hao in Sydney regarding this immigration matter?---No, there was only, there was only one - - -

There was only one.--- - - - meeting in her office. And it wasn't, didn't take long.

Was there only one meeting with Ms Wang in Sydney?---Yes.

20 So there was first call with Mr Maguire, some calls with Ms Wang, some telephone calls, Ms Wang attended upon you in Wagga Wagga. There was probably some more communications regarding documents and things of that kind, is that right?---Possibly was.

And then to do the deal, as it were, you flew to Sydney and you went to what you understood to be Ms Wang and Ms Hao's office, is that right? ---Correct.

30 Now, in terms of the \$30,000 fee, was there any contract or documentation or anything of that kind in relation to that fee, that you remember?---I don't think so. I rang my admin lady half an hour or an hour ago to ask her about that because I heard earlier, when I was sitting at the back. There was no documentation, I believe.

Well, that must have looked a bit dubious to you, to use your term, mustn't it?---Well, I suppose so.

So you're saying that, so far as you can recall, there wasn't some contract or other document by which the \$30,000 fee was written down to say, well, this is the \$30,000 fee and this is what you get for it?---No, I don't think there was.

40 Where did you understand the \$30,000 fee was coming from?---I, I thought it would be from the, the, the Chinese gentleman's family, I presume.

So the arrangement, as you understood it, was you'd employ this person for a three-month period, but the individual's the visa applicant's family would be paying the fee to you?---That's what I understood. I wasn't told that.

And what was, what was your business required to do in exchange for the \$30,000 fee?---Well, employ this person for a certain time.

Well, that looks pretty dubious, doesn't it? The idea that someone would be, in effect, paying someone in order to be employed.---Mmm.

Do you agree?---Well, our point of view was that this person could help our, our business without costing us a lot of money, without costing anything.

10 Quite. And that explains why it might be a sensible business proposition, but you must have realised at the time that it was at least dubious, the idea that you would get an employee, and the employee themselves is actually paying or subsidising the employment of that employee, do you agree?
---Well, I just thought maybe that's what happens with these things.

What do you mean by that?---Well, if a Chinese family, a rich Chinese family wants somebody to come out here, they can possibly pay an employee to have him there so he can have his time to get his visa, maybe.

20 And so part of what you understood was attempting to be achieved here is you get a – a visa is obtained for a particular individual, and that might then allow them to stay in this country for perhaps a medium period of time, is that right?---Yeah, that's what I thought.

That was part of what Ms Wang was attempting to achieve for the benefit of the particular individual, is that right?---Yes.

And that particular individual, do you know where they came from?---No, not at all.

30 In other words, was there some, I think you've said there was no choice for you. You weren't given 10 CVs and decided to choose. It came from the Ms Wang end, did it?---Yes, correct.

And was it Ms Wang herself who identified the employee, or could have that been the Monika lady who you referred to before?---Oh, it would have been, oh, well, it would have come through on paperwork, I presume.

But I'm really asking, where did it come from? Did it come from Ms Wang, as you understood it?---I thought it came from Ms Wang.

40 But do you recall whether you ever tried to write down the key aspects of the arrangement pursuant to which you would get \$30,000 - - -?---No.

- - - for employing a particular individual? Let me just show you this document that might refresh your memory, volume 19, page 93. And while that's coming up, I tender as a bundle pages 1 through to 106 of volume 19 of the public inquiry brief, which is what I'll describe as the immigration bundle in relation to Creative Business Furniture.

THE COMMISSIONER: That will be Exhibit 197.

#EXH-197 – IMMIGRATION BUNDLE RE KANG AND CREATIVE BUSINESS FURNITURE

10 MR ROBERTSON: Now, do you recognise the top of this page as being your letterhead, is that right?---Correct, yep.

And as to the text of this document, do you recall whether you prepared the text of this document?---I don't recall that matter.

The handwriting towards the top right-hand side, do you recognise that handwriting?---That's my office manager.

20 Do you see, towards the bottom of the page, "Monika, if you can confirm that my understanding of this is correct on the above three points mentioned." Do you see that there?---Yep.

And it says, "Regards, Peter Wood."---Yes.

Does that not refresh your memory as to whether or not you prepared the text of this document?---I'm sorry, I can't, I can't recall.

30 Do you at least agree that the three dot points that you can see on the screen are consistent with what you understood the arrangement to be in relation to the potential employment of the, what I assume is, Mr Kang, K-a-n-g? ---Can you repeat that, please?

If you just have a look at the three dot points we can see on the page, see that it is summarising what's described as an understanding? And I just want you to confirm whether those three dot points are consistent with your understanding of the position as at June of 2013?---Yes, it think it is.

And so in short form, you pay Mr Kang the \$51,800, correct?---Per annum.

40 Per annum, correct.---Yeah. This, this crosses over what I said before, the three months. There, there was a three-month thing I got in my head.

So, as you understood the position, you were agreeing to pay Mr Kang at the rate of \$51,800 per annum, which in point of fact, if it was a three-month period, you would be paying a quarter of that, is that right?---Yes, yes.

Plus superannuation et cetera. That figure of \$51,800, do you recall where that came from? Was that you that came up with that figure or did someone else come up with it?---No, no. Not at all, no.

So who came up with it, as you remember?---Well, Maggie gave us the breakdown of what we should be paying this person.

And so if you're only employing this person for three months at \$51,000 per annum, the arrangement involves you getting the benefit of an employee and you'll actually make some money at the end of the day because you're paying them out less than the amount that you were receiving, is that the idea?---That's correct but we've got a big factory and we have to run a
10 factory with insurances and, and vehicles and running costs.

Of course, you've got on-costs and the like.---Yeah.

But what I'm just trying to understand is the business case here, and the business case looks like a pretty good one. You get an employee for a three-month period, you don't have to pay that employee at the end of the day. You do pay them but you're getting money back and there's probably a little bit of money left over. Accepting what you say, employing an
20 employee is not free, you've got on-costs and other costs and things of that kind, is that right?---Yes.

Just have a look at the second dot point, though. Do you see how it says, "Mr Kang will reimburse us, the wages, gross amount plus GST on a weekly period." Do you see that?---I don't know anything about that. I don't understand.

Well, what it seems to say, and maybe I've misread it, but what that seems to say is that on top of the \$30,000 you might also get a reimbursement of the amount of money that's been paid out to Mr Kang at the rate of \$51,000
30 a year.---Well, I, I might have misread it. I mightn't have understood it.

So to be clear, although we can see that on the page on the second dot point, that wasn't your understanding of the arrangement, the arrangement was \$30,000, you would pay out effectively a quarter of \$51,000 plus on-costs and the like, and your obligation was to employ this person for a three-month period and a three-month period only, is that right?---That's correct. But I thought if, if the person worked out that it worked out for us and we would keep employing him.

40 Now, did you ever meet a Mr Kang?---Never.

At the time that you were engaged in the scheme and speaking with Maggie, et cetera, you were expecting Mr Kang or some other Chinese national to actually turn up?---I don't really – well, Maggie did say that this, this gentleman may not turn up.

When did she say that, when in the process did she say that?---In the beginning.

And when you say in the beginning, is that on the first telephone call or when she first came down to Wagga?---Oh, when we, I, I'd say when she met in our office. "They have been known not to turn up."

So that must have added to your feeling of dubiousness.---It did, but we were hoping this bloke would turn up. We had his office all set out ready to – not set out, but we knew where he was going to go and what he was going to do.

10

And so just to be clear about that, on the first meeting face-to-face you had with Ms Wang she said to you words to the effect of, "It's possible that this person won't turn up?"---Yes.

And that meeting was in Wagga. Is that right?---Yes, correct.

At your business premises.---Yep.

20 But you decided to continue in the hope that this person would in fact turn up.---Yes.

In point of fact they did not turn up. Is that right?---Correct.

Despite not turning up, did you receive any payment from anyone in relation to this question of immigration?---None.

None at all?---None.

30 Not a dollar?---No.

Not a cent?---Not as far as – no, I'm pretty sure we didn't.

When you say you're pretty sure you didn't, what do you mean?---Well, I'm sure we didn't, but - - -

Not a deposit, not a dollar, not a cent?---No. I'm pretty certain the 30,000 was it.

40 And when did you receive that \$30,000?---When we, when, when I met at Maggie's office.

THE COMMISSIONER: In Sydney?---In, in Sydney, yes.

On that occasion when - - -?---Yes, correct.

MR ROBERTSON: And so it looks like, based on the text messages, and I accept you won't recall the exact date, but it looks, based on the text

messages like that may have been in about June of 2014. Does that sound about right?---It sounds about right with these other dates, yes.

Sorry, I withdraw that.

THE COMMISSIONER: 2013 I think.

MR ROBERTSON: June 2013.---'13.

10 I'm leading you astray, about June of 2013.---Yes.

And at that point in time you hadn't met Mr Kang?---No, no.

In fact you've never met Mr Kang.---Never.

And so why, as you understood it, were you getting that \$30,000 at that point in time rather than when Mr Kang actually turns up or perhaps does three months of work?---I just thought it was a part of the agreement, that you would be paid and then they'd take it from, after it had been approved
20 by the government, that's what I was thinking, we would receive the \$30,000, yeah, so - - -

THE COMMISSIONER: How was that money paid, Mr Wood?---It was paid in cash to my astonishment, because I was flying back to Wagga with \$30,000 in my pocket and it's quite uneasy.

MR ROBERTSON: And so who handed the cash to you?---It was either Monika or, or Maggie, I can't really remember.

30 You're not sure which one.---I think it was, might have been Maggie.

And how was that presented to you, was it in like an envelope or a bag or - - -?---I think it was in a big envelope.

And do you recall what denominations it was in, was it in fifties and hundreds, fives and tens?---Oh, it would have been fifties and hundreds. Like 30,000 in fifties is a lot of note.

40 Yes, and even more if it's in smaller denominations.---Yeah.

What did you ultimately do with that cash?---Took it back to the factory and when I, as soon as I could I put it in our account.

And I think you said before you've actually put it through the books, et cetera.---Yeah, exactly.

And I think you said you've paid GST et cetera on it as well.---We did, yeah.

So one-eleventh of that money disappeared to the Tax Office?---Yeah.

Did you receive any receipt or anything like that – sorry, did you issue any receipt or any invoice or anything of that kind?---Well, I spoke to my office manager before and she said she can't remember whether we raised an invoice for the GST component, she can't remember either.

10 And so it's at least sitting in there in the books as income from the company. Is that right?---Yeah, correct.

But whether or not it was formally receipted in the sense of a receipt going out to Ms Wang or perhaps to Monika, you don't know or you think - - -?
---No, I can't.

- - - or do you think it wasn't?---Well, she seemed to think she didn't, but I don't know whether she would have raised an internal invoice so that we could put it to the, our BAS.

20 So there may be a notional internal invoice in relation to that figure.---Yeah.

But so far as you can ascertain there wasn't a tax invoice or a receipt - - -?
---No.

- - - that went out to the, to Ms Wang/Monika side.---Well, that's what my office manager told me.

30 Do you recall whether you ever issued an invoice to Ms Wang in the slightly strange sum of \$14,391. Does that ring any bells?---An invoice?
No, no. For us to pay her?

An invoice on the request of Ms Wang which would involve, which would say, "Please pay me," or, "Please pay Creative Business Furniture," a \$14,000 figure or thereabouts?---The figure rings a bell. I, I can't recall.

40 Well, let me try and help you – we'll go back to the text messages. Volume 23, page 194. Now, see at the very bottom right-hand corner, a text message to you, 11 June, this is from Ms Wang, "Discussed yesterday. Is it okay with you?"---Oh, yes, I do remember now, yep. Yes.

Do you recall what that invoice pertained to?---Well, we, well, we, we would have sent it her, to her, I presume. Well, we did. Because I, I didn't remember the figure. So we just raised that invoice and sent it off to her.

But what was that invoice for? It says, "For sale of office furniture." So did she buy some office furniture for you?---No. It was related to the 30,000, I presume. She wanted some, some - - -

But why as you understood it would she want an invoice for \$14,391?---I really don't know.

So you do have a recollection though, of causing for an invoice in the sum of \$14,391 being issued to Ms Wang?---I do now, yes. Yep.

Have you had a look for that invoice to be able to see it in your records?
---No. No, not at all.

10 Are you happy to have a dig around in your records to see if you can find – and I'm not suggesting you necessarily need to, I'm not suggesting that you can do that now. But are you happy to ask your accounts people or your bookkeeper to have a look to see if they find that invoice?---Certainly. The 11th of the 6th. Yes.

But are you saying it's your recollection that that invoice, even though Ms Wang says, "I want an invoice for the sale of office furniture," it wasn't about the sale of office furniture.---No.

20 It was about the immigration scheme that's being referred to.---Yep. Must have been, yes.

So as far as you can ascertain it, and accepting that you might have to go back and check your records, this seems to have been an invoice issued to Ms Wang for \$14,391. There's also a receipt being shown in your books for the \$30,000. Is that right?---(No Audible Reply)

30 And so does it follow from that there must be some other at least notional invoice sitting in your accounts for the difference between 30,000 and the 14,391?---Fourteen three. I, I can't answer that, I'm sorry, I don't know that. Without going back.

We might ask you after the examination just to get your bookkeeper to have a look at that particular invoice, just so we can try and make sense of this.
---Sure, I will, we, but we'll just have to look.

THE COMMISSIONER: You don't need to – we'll give you the details, Mr Wood.---Oh, thank you.

40 You don't need to try and remember them now.---Thank you.

MR ROBERTSON: I'm not suggesting for a moment that you've got an eidetic memory in relation to the books of your account for 2014. Can we just turn the page, please? If you turn the page to page 195 of volume 23, and I just want you to have a look at item number 704, which is towards the bottom of the page. So we're still on 11 June, 2014. You can see it says, "Hi Peter."---Mmm.

And I'll just get you read that to yourself, and then I'll ask you some questions about it.---Yep.

So Kang, is it right that Kang is the individual who you thought would be turning up to work?---Yes.

And is that the first time you had any communications as to whether Mr Kang was likely to, or would be turning up or not?---Yes, correct.

10 So if you have a look, it says, so he won't be able to make Monday. So was it the case that as at 11 June, 2014, you accepted, you expected Mr Kang to turn up on the following Monday? Is that how we should understand this exchange?---My memory isn't as - - -

THE COMMISSIONER: Have a look at 703, Mr Robertson.---Yeah.

MR ROBERTSON: See item 703, just read that to yourself.---Yep.

20 "He is going to Wagga next Monday to see you."---I'm sorry, all this is a bit of a blur, I - - -

Oh, no, I understand, and I'm asking you about things that have happened some time ago.

THE COMMISSIONER: Can we scroll down a bit, Mr Robertson, because there's - I think this is part of a series which might help. There's the one immediately above, also on 11 June.---Mmm.

30 MR ROBERTSON: So let's do this in parts. So I showed you the one about the invoice, the \$14,000 one is item 700. And at the top of the page here is item 701, which says, "Invoice to United Lift Services Pty Ltd." Do you see that at the top of the screen?---That, that, that rings a bell to me.

And why does that ring a bell?---The United Lift Services.

In what context does that ring a bell?---Just something to do with lifts, I would say.

40 So Ms Wang is sending you a message shortly after the one where she asks for an invoice of \$14,391, and saying, "Invoice to United Lift Services." So it looks like, at least to me, that she's saying issued \$14,391 invoice to United Lift Services Pty Ltd. Does that ring a bell at all?---It does. It does.

And what bell does that ring?---United Lift Services.

So are you saying it's your recollection that you issued an invoice to United Lift Services for that \$14,000 figure?---I presume so.

On the request of Ms Wang?---Yep.

And is it still your recollection that that had something to do with this immigration matter?---I would, I would say, well, Maggie would, yes.

And so, what, you assumed, did you, that United Lift Services was some company associated with Ms Wang?---I presume so.

10 THE COMMISSIONER: Did you do any business with Ms Wang apart from in relation to this immigration matter, Mr Wood?---No, not at all.

Did you ever provide any services to a company called United Lift Services Pty Ltd?---No, not at all.

20 MR ROBERTSON: And so then following these text messages down. 702, "Thanks very much. Peter." And then 703, "He is going to Wagga next Monday to see you." So that's the context of, well, it seems to be the context of a message a little bit later, between 10.15 and then the next one, 10.38am, "Kang just rang and said his daughter is sick today and won't be able to make Monday." Do you see that there?---Mmm. Yes.

So was it the case that, as at 11 June, 2014, you were expecting Mr Kang to show up on the following Monday?---Oh, look, I must, I must have been, if that's what it says.

And I think you explained before, you'd set up an office. You were ready to expect this particular employee to turn up, even though Ms Wang told you on the first face-to-face meeting he might not turn up.---Yeah.

30 Doing the best you can, and I appreciate it's a very long time ago, what specifically did Ms Wang say about this person turning up or not turning up?---There was a mention of sometimes these people don't turn up. That was all I can remember.

So she was warning you, as it were, that although she's putting forward a particular individual, this is something that she'd been involved in from time to time, and sometimes these people don't actually turn up at all? ---That's right.

40 Do you recall whether you took any notes - - -?---No.

- - - of your meeting with Ms Wang?---No.

Can I just show you this document.

THE COMMISSIONER: Can we just finish that last document?

MR ROBERTSON: Yes, I'm so sorry.

THE COMMISSIONER: Mr Grainger, could you bring that up again, please.

MR ROBERTSON: Page 195, volume 23.

THE COMMISSIONER: So if we look at the message to you, number 704, Mr Wood, where Ms Wang tells you that Mr Kang had said his daughter was sick and won't be able to make it Monday, and then she says, "I told
10 him I'll be overseas from next Wednesday, so happy to wait when I am back in mid-July." Was it your recollection that, in fact, Ms Wang was to bring Mr Kang to Wagga to introduce him to you?---It sounds a little bit like that there, doesn't it? I, I, I can't really remember. I would presume so.

So do you have any recollection of these events now, in which Mr Kang was to meet you?---It does ring a bell. I'm sorry, I just, as I said, it's a long time ago.

MR ROBERTSON: It's at least clear in your mind that you're expecting
20 Mr Kang to turn up, but ultimately Ms Wang told you that he was not going to turn up.---Mmm.

At that point in time, you'd already received the \$30,000?---Yes, yes.

Did you offer to give the \$30,000 back then, given that you were getting the money but not the employee?---No.

Did Ms Wang ask for the money back?---No.

30 Well, surely, that must have added to your feelings of dubiousness.---Yeah.

The deal was get an employee, get an incentive, but have to pay them money and then you don't get the employee.---Yeah.

Did you report those concerns to anyone?---No, I didn't.

Did you ring up Mr Maguire, for example, and say, "Look, you've referred me to this Maggie Wang individual and this all looks a bit dubious to me"?
---I would have said something to him.
40

And when do you think you would have said something to him, roughly?
---When the bloke didn't turn up, I suppose. I, I'm sorry, I can't remember.

Well, do you at least have a recollection that when the individual didn't turn up, you had some discussion with Mr Maguire saying, "Look what's happened here"?---I, I would have. I can't clarify that but I would have said, "This bloke didn't turn up," and - - -

Do you have any recollection of what Mr Maguire said in response to that indication?---No, I don't. I'm sorry.

But you are pretty sure in your mind that this is something that you reported back to Mr Maguire?---I, I would have definitely told him nothing happened.

Well, it's not quite nothing happened. In a sense, it's something happened. You had agreed to be part of this scheme, you had received \$30,000 and the whole idea of the scheme, having an employee in the flesh in Wagga Wagga, it doesn't happen?---No.

And are you saying that you weren't asked for the \$30,000 back?---No.

Even though it was part and parcel of the arrangement that you'd get \$30,000 but you were also going to be paying out this employee, is that right?---Yes.

I take it then – I withdraw that. Did you ever pay any money to Mr Kang? ---No.

And so, in effect, part of the arrangement took place, you received the \$30,000, you didn't pay any money to Mr Kang, presumably for the obvious reason that Mr Kang didn't turn up. Is that right?---Yes.

Jumping back to a previous question. Have you ever taken any notes regarding what you understood the arrangement to be, do you remember? ---No, no.

Can we just go to page 4 of volume 19, please, which - - -?---Here we go. I, I can't remember.

- - - forms part of the exhibit. Do you recognise the handwriting that's on the screen?---That would be my office manager's handwriting.

So that's your office manager's handwriting, not your handwriting?---I think so. What's the paper? No. Well, it would be because, "To pay us," so it would be Julie's handwriting.

It's not your handwriting?---No, definitely not.

Do you recall or do you have any understanding as to when this handwriting may have been prepared? And note that, at least to my eyes, the handwriting in the middle looks a little bit different to the one at the top and the bottom. But - - -?---Oh, she's a bit erratic when it goes to writing things quickly.

Do you have any understanding as to when this document was prepared or when these notes were prepared?---No, no.

Was the office manager involved in the meeting with Ms Wang when she attended Wagga Wagga, do you remember?---I, I don't think so.

Well, then how did she know about these details? Did you communicate that to her?---Well, we communicated with her. She's got to know everything with our business.

10

Does she do the books, for example?---Yes.

So she therefore needs to know the details of matters of that kind?---Yes.

Now, in terms of the documentation, so I take it there was a bit of documentation that you had to sign in relation to the potential placement of Mr Kang, is that right?---Yes.

20

Who prepared that documentation? Was that prepared at your end?---It was given to us. No, it was given to us by Maggie.

So can we just have a look at an example then. If we go to page 7 of volume 19, which is exhibit 197. Now, I take it you agree this is your letterhead, Creative Business Furniture?---Yeah, yes.

Do you recall seeing a document that looks like this one before, letter of appointment for Mr Xuedong, X-u-e-d-o-n-g, Kang?---I presume I would have seen it because Julie shows me everything.

30

Just have a look at the first main paragraph. Do you see in the last sentence of the first main paragraph, it says, "This full-time ongoing position will exist for at least three years from the commencement date"?---Oh, right.

Do you see that there?---Yeah, I do.

Was that the arrangement as you understood it? Did you - - -?---I thought it was three months, I'm sorry.

40

Now, is it your practice to look closely at documents before you sign them? ---Oh, yes.

And if you had noticed a document in relation to Mr Kang that said there would be a full-time ongoing position for at least three years from the commencement date, would have you signed it?---Well, maybe, maybe we were thinking if the person doesn't work out we might have to get rid of them. I don't know. I can't remember, I'm sorry, but I had that three months in my, in my mind.

So it's possible, is it, that you did sign a document that says three years rather than three months?---It's possible, yes.

Can we actually go to the document that's not in that bundle, 26 March, 2013, which has covering email in relation to a similar document. Now, do you see there an email from Monika from Ausky, A-u-s-k-y, Visa to you of - - -?---Eastwood.

- - - 26 March, 2013?---Yes.

10

It says, "Please sign the attached employment contract and scan the signature page." If we can then just go to the next page so we can see that. And you see there there's a document that looks similar, perhaps identical to the one that we saw before. See the little sticky note on the right-hand side? ---Yes.

Do you recognise whose handwriting that is?---That would be Julie, that would be the office manager.

20

And then if we just flick through in the next couple of pages. So do you recall signing a document that looks like this one?---I would have, I would have.

I tender the document that appears on the screen, email to Mr Wood, 26 March, 2013, regarding employment contract for Mr Kang.

THE COMMISSIONER: That will be Exhibit 198.

30

#EXH-198 – EMAIL MONICA HAO TO DUFFY DATED 26 MARCH 2013 ATTACHING KANG EMPLOYMENT CONTRACT

MR ROBERTSON: If we can go back, please, to the Exhibit 197 version, that's volume 19, page 7. Can I just ask, Mr Wood, when you sign documents, do you always sign them with a pen and scan them in if necessary, or do you sometimes use some electronic signature that you then affix to a document?---No, I pen it, yes.

40

So is that the case every time you're asked to sign a document you get the pen out and you'll sign it, if someone wants it by email someone will scan it and send it off. Is that right?---Correct, correct.

And so if we just go to – if we can flick through to page 11.---That's my - - -

Is that your signature towards the bottom of the page?---Yes.

Now, do you recall whether you ever received or were sent a copy of this letter of appointment that was signed by Mr Kang?---I don't recall that, no.

So are you saying you don't think you did or you just don't recall one way or the other?---I don't think we did. I'm not too, look, I could, I could - - -

I appreciate I'm asking you about things some time ago and if the answer to the question is, I've searched my memory banks and I don't know, then that's the answer. But I'll just show you the next page, and to help you,
10 what I'm showing you at the moment is copies of documents that this Commission's obtained from the relevant government department. So their documents seem to include a version that appears to have been signed by Mr Kang. Do you see that there?---Yes.

But are you saying your best recollection is that you were never sent a copy?---Oh, it does look a bit familiar now.

It does look a little bit familiar now?---It does, yes.

20 So it's possible that there's a document of that kind in your records?
---Yes.

If we then go to the next page. We'll just flick that around so that you don't have to put your head 90 degrees. Do you recognise this org chart?
---Yes, I have seen it, yes.

Now, did you prepare it or did someone else prepare it?---Oh, Julie would have prepared it but we would told her what we, what we possibly wanted.

30 And does this document accurately describe the organisational structure of Creative Business Furniture?---Yes.

If you then go to the next page. See there a position description. Have you seen this document before, so far as you can recall?---Well, everything that goes through the office manager's hands would come through to me, but I, I, it's - - -

So assuming that, though, is this a document that to your understanding was prepared at your end or prepared at the Ms Wang/Monika end?---Mmm.
40

This is a two-page document. So if you want to see the next page, just say the word.---Yeah, I'd love to, thank you.

The next page, please.---No. I, I'd say no, that didn't come from our office.

And why do you say that?---Well, my office manager doesn't put things in like that.

Well, look at the first dot point, for example. Do you have - - -?---No.

Do you have line managers?---No, no. That, Julie wouldn't have done that.

THE COMMISSIONER: Look at the third-last dot point, Mr Wood.
"Fluent in English and French, both verbal and written."---Yeah.

This doesn't sound like the position you were thinking of somebody from
China occupying, does it?---No.

10

MR ROBERTSON: At this point in this time, did your business have a
requirement for someone who speaks fluent French, both verbal and
written?---Definitely not. Nah.

Many French speakers in Wagga Wagga?---There's a French teacher at my
wife's school. Sorry.

Can we go to the next page, please?

20

THE COMMISSIONER: That was also for the position of an accountant.
That's not the job I understood you were looking for someone to fill.
---That's not what, no, not at all. No, we just wanted help, help in accounts.

And with promotions.---No.

I thought you told the Commission you wanted somebody to promote your
business throughout the - - -?---Oh, to promote – oh, yeah, sorry, I got you
wrong. To promote our products.

30

To promote your products, yes.---Yes. Yes.

MR ROBERTSON: You at least agree I take it that the position description
that we just saw didn't accurately set out - - -?---Definitely not.

- - - the kind of person that you actually wanted, correct?---Definitely not.

I'm now showing you a document called Statement of Remuneration. Is
that a document that you prepared or to your knowledge was prepared at
your end or prepared at the other end?---No, it wasn't prepared at our end,
because it's, it's, Creative Business Furniture was founded in 2000.
40 Creative Business Furniture was '87. Well, when I say '87, we had another
business in the furniture industry, which was Wagga Office Furniture. We
changed their name because we wanted to go to Albury to, to sell and, in, in
Albury, so we changed it to Creative, so it doesn't - - -

So you're at least saying that this document doesn't accurately summarise
your business?---No.

And so far as you know, it wasn't prepared at your end, nor would it have been, because it's wrong, correct?---Well, hang on, if, it could have been Creative Business Furniture name was, or Wagga Office Furniture's name was changed in 2000. That's - - -

THE COMMISSIONER: From Wagga?---From, yes.

10 MR ROBERTSON: But you wouldn't have prepared a document that included the text that we can see on the page. Is that right?---It sounds a bit like something that comes out of one, our, of our introductions or our website.

And if we can then just go to the next page, please, and do you see there there is a signature, does that look like your signature?---That's, that's mine.

Do you recall whether you signed this particular document?---Well, I would have. But it doesn't sound right, does it?

20 Well, when you say you would have, at least to me it looks a little bit smudged, in the sense of it looks at least like a possibility that it was copied and affixed electronically, but I'm not - - -?---I am left-handed, and my, my handwriting's a bit erratic depending on how tired I am and what I'm doing, you know what I mean?

I'm left-handed as well, so I'm not suggesting any offence should be taken in relation to that matter.---Yeah.

30 Can we go to the next page, please? Appropriate References to the Australian Government Job Outlook. Is that a document you prepared?
---No.

If you then go to the next page, we can there see a signature.---Yeah.

Which looks, at least to my eyes, to look remarkably like the last one.---It does.

Do you recall whether you signed this particular document?---No, I'm sorry, I can't.

40 Turn to the next page. Appropriate references to the ABS employee. Again, a signature that looks exceeding similar to the one on the previous page.---It is, that is my signature. I would suggest this has been prepared by somebody else.

So is it right that, as you recall it, in terms of the documents that were prepared for the Immigration Department, and noting that what I'm showing you is the copy of the documents that the Immigration Department has

given this Commission, it was the Maggie Wang end that prepared the documents, rather than your side, is that right?---I would suggest so, yes.

You may have signed a few documents along the way.---Yeah.

You may have provided a little bit of input into the documents, but it wasn't you drafting the text of the document, is that right?---Correct. Correct.

You left that to Ms Wang to take care of, is that right?---Yeah.

10

Can we then go to the next page, which is page 21. Here's a document that looks like it's come out of your records. Do you recognise this document, just as an example?---Yes.

And do we take it that you may have provided some documents to Ms Wang to package up, as it were, to provide to the relevant Department?---I don't know why I'd give them (not transcribable)

20

Well, she might have wanted to know whether you can demonstrate that you provide training or you paid for training.---Oh, right, I see. That could be correct.

Can we then, please, we might just jump forward if we may, and can we go, please, to page 38 in the first instance. I'll just show you the front page. I take it that in your business you prepare annual financial reports in the usual way.---Yes.

30

Do you recall whether you provided any of them to Ms Wang or perhaps to Ms Hao, Ms Monika Hao?---I think we would have because she needed a record of our financial situation so that this person that we, what would you say, that, that - - -

You could demonstrate that you're an ongoing business and - - -?---Yeah, yeah, that's what I meant, yeah.

- - - matters of that kind.---Correct.

40

Can we then jump, please, to page 45. Again, is this a document that you prepared or that, to your knowledge, was prepared at your end? Or is it your best recollection that it was prepared at the Ms Wang end? Have a look just above where it says, "part 4 – minimum wages", just have a look at that paragraph, for example. "Qualifications such as sound education background in related filed [sic]. Bilingual communications skills." ---Where, where's that one? That's - - -

Just near - - -?---Oh, yeah.

There's a little hand that's magically appeared.---All right. No, we wouldn't, no. We wouldn't have done that.

So, again, as best you can assist us, it looks like coming from the Maggie Wang end, rather than from - - -?---Sounds like, yeah, it looks like it.

- - - rather than from your end.---My, my office manager doesn't have that, she doesn't speak that way. She doesn't put in, she, she says it as it is.

10 And then turning to the - - -?---Without numbers and all this.

And then turning to the next page.---That's my signature.

Looks like your signature, but do you have a recollection of actually signing this particular document?---No, not at all. Wow.

Can we go, please, to page 66. We've jumped a little bit further.

20 THE COMMISSIONER: Are these all still in volume 19, Mr Robertson?

MR ROBERTSON: They are still all in volume 19, Exhibit 197.---Boy.

I'm now showing a document called Application for Employer Nomination for a Permanent Appointment. Do you see that there?---(No Audible Reply)

Sorry, you have to answer out aloud.---Yes, I do, sorry.

Now, do you ever recall seeing a document that looks like this one before?
---I don't recall that.

30

Do you recall authorising Ms Monika Hao or perhaps Ms Maggie Wang to submit an application of this kind to the Department of Immigration?---No.

Can we jump in this document to page 72, please. I want to show you some declarations that were made on behalf of your business by Ms Hao. Have a look where it says, "ENS/RSMS declarations. Warning. Giving false and misleading information is a serious offence." And if you look at the second declaration it says, "Will provide full-time employment for the visa applicant for at least two years." Do you see that there?---Ah hmm. Yes.

40

Did you authorise Ms Hao or Ms Wang to tell the Immigration Department that you would provide full-time employment for Mr Kang for a period of at least two years?---No.

In fact, your understanding of the position was that you had a commitment for three months and no more, correct?---Ah hmm.

So that was something that the Immigration Department was told on your business's behalf but without your authority. Is that right?---Yes. Excuse me, Mr Grainger, not Your Honour, Mr - - -

Commissioner.---I hardly ever use a blue pen. All my pens are black.

THE COMMISSIONER: It almost looks like a purple pen but I thought that might be something in the copying process.---Maybe my memory isn't so bad.

10

MR ROBERTSON: Can I say the signatures that I have seen in this bundle seem remarkably similar to each other as well.---Yeah.

Do you think it's possible that you provided a signed document to Ms Wang at some point in time but she then used that signature and affixed it to a series of other documents?---I would say it would be pretty possible. I don't, I can't remember what it was.

20

And so I've shown you a whole lot of documents here and I accept it's from some time ago, but you don't have a recollection of signing these documents at all, do you?---No. And I will tell you now, Mr Grainger - - -

THE COMMISSIONER: Mr Robertson.

MR ROBERTSON: Mr Robertson, Mr Grainger is sitting - - -?---Oh, sorry, Mr Robertson.

You've met Mr Grainger before?---That's right. Exactly.

30

Today is the first time you've met me.---Ah hmm. My signature changes all the time. As I say, first thing in the morning it's fabulous and by the time you get a bit tired in the afternoon, it deteriorates.

It's a burden that all of us left handers bear. I can tell you, Mr Wood. ---Yeah.

And so I think you're saying from that, is that it would be very surprising to you to find a series of documents that has your signature that looks either identical or almost identical. Is that fair?---Correct.

40

THE COMMISSIONER: As in in a blue or purple pen.

MR ROBERTSON: In particular, if it's in a colour other than, what, black. Black is your usual course, is it?---It's my favourite colour, so, like for writing with.

THE COMMISSIONER: Do you usually have a black pen on you, Mr Wood?---In my bag.

MR ROBERTSON: Can we just go to page 85, please. I'm just going to show you another document that's in the bundle that's come back from the immigration authorities. And if we just scroll down ever so slightly. See it says, "Accountant wanted, working Wagga Wagga." See that there?---Ah hmm. Yeah.

Did you post that ad?---No.

10 To your knowledge, has anyone at your end within your company posted that ad?---No.

Do you know who posted that ad?---No.

Have you seen that ad before I'm showing it to you now?---Never.

Two further pages along, please. Do the same answers apply to this ad?
---No, I've never seen it.

20 The same answers apply, in other words you didn't post this ad and no one within your business posted that ad, is that right?---No, no.

Did you authorised Ms Wang or anyone else to post this ad?---Never.

On behalf of a reputable furniture company which was founded in 2000?
---Never.

Looks like your company. Indeed, have a look at the email address towards the bottom of the page.---Yes. No, we, we don't know anything about that
30 one.

So you've got no recollection of Ms Wang saying, "I'm going to put in an ad of that kind"?---No, no.

And don't forget, I showed you that text message before where Ms Wood [sic] apparently said to you, "Hi Peter. If you receive any job applications, please forward them to Monika." Remember I showed you that text message?---Oh, oh, righto. The plot thickens.

40 But in any event, you certainly don't recall putting an ad in?---Never.

And in fact putting an ad in was inconsistent with the whole nature of the arrangement as you understood it, is that right?---Yes.

Because what you thought was being put on offer to you, is to employ a particular person, you employ them, you get \$30,000, correct?---Yes.

It wasn't about going out to the market generally and looking at potential employees.---Oh, not at all

It was about employing a particular person who Ms Wang put forward to you as a potential employee. Is that right?---Correct. If we wanted an accountancy-type person we would talk to our accountants and they would find somebody.

10 And so instead this was in the nature of a special arrangement with a special potential deal. Is that right?---I think so.

When is the last time you had any contact with Ms Wang?---I remember once she said, "I'm coming to Wagga," and her partner who works for Fairfax is coming too, and she asked if my wife and I would like to go and have a coffee, and I think that's possibly it.

And when was that roughly speaking?---I'm sorry, I don't know. It was around the time it was all happening, when it was in between or after.

20 I've shown you some text messages where it looks like you're being informed that Mr Kang isn't going to turn up. Did you have any further communications with Ms Wang sort of in the aftermath of receiving that message? I mean presumably you rang her up and said, "Well, what the hell's going on?"---Yeah, yeah.

"I've had to do all this stuff, I've filled out forms, you've given me 30 grand in cash that I've taken back on the plane to Wagga, what's going on?" ---Well, I, I had rung and said, "What's happening?" And she said, "Well, he, it looks like he may not turn up." And that's all it is. I thought - - -

30 And was that the end of it or was there some further communications with Ms Wang after that?---No, I think that may have been at the end of it. It's, something rings a bell to me, she said, "Look, don't worry about it, everything's legal, the money's yours."

So she specifically said at some point in time, "Everything is legal." Is that right?---Yes.

40 And was that in the context of the \$30,000 as well?---Well, when, I think I remember when we went to her office and she gave me the 30,000 there was the documentation from the government and that's when I would have said probably, "Well, this looks great," and I think she said, "Everything's above board, legal."

But once it falls over, Mr Kang's not turning up, was there some other discussion that you had with her saying, "Well, what now, do I have to give back the money," something along those lines?---No, there was nothing.

And is it right that she never actually asked for the money back?---Correct.

Do you know whether Mr Kang ever actually received a visa?---No. I, oh, I don't know what I thought.

10 What were you about to say?---I, I, I thought this was all a part of getting Mr Kang here to get a visa, all the paperwork went into the government, it was all cut and dried 30,000 but he didn't turn up but the paperwork had gone through and he would be allowed to come in to study or whatever it was he was coming for.

So you thought that he would still end up with a visa, even though he didn't turn up?---I thought so.

Why did you think that?---Well, because Maggie Wang's organised it and it went through the government.

20 But presumably an aspect of the whole arrangement with which you were involved was that he was actually going to have to work and have in effect a working form a visa.---Yeah, I suppose, no, I don't understand why.

After it all fell over, did you speak to Mr Maguire about it?---Well, as I said before, I would have told him that it didn't, it didn't work, the person didn't turn up, but I can't remember the conversation properly, I don't remember it at all, but he would have wanted to know. In passing comment he would have said, "How did it go?"

30 Why do you say he would have wanted to know?---Well, we're friends.

What was his involvement in this immigration scheme as you understood it? ---Nothing.

As you understood it he was just pointing you in the direction of someone who might be able to help you rather than anything else?---Yeah, correct, yeah.

40 Have you ever heard of the firm or company G8way International? ---Only when this, when all this started. I'd never heard of it ever, but I do know Phil Elliott and the reason I know him, because I was told, Phil helped Daryl with his election and never been formally introduced but we'd see each other momentarily passing at the post office in the morning and it's a, "Hello, how are you," and that's it. But I'd never heard of G8way.

And so you said you first heard of G8way when all this started. Do you mean the public inquiry - - -?---Yes.

- - - of which this is the first week?---I can't remember when, if Paul mentioned it when we were at my office. I don't think so.

But assuming that he did, that was the first time that you heard the G8way International name, was it?---yeah, yeah.

But you knew, you knew Mr Elliott through other means.---Yes. We weren't friends, we were only a hello.

10 But is it right that you didn't know any association between Mr Elliott and G8way?---Correct.

And didn't know any association between Mr Maguire and G8way.
---Correct.

When's the last time you've spoken to Mr Maguire, then?---Oh, it would have been about the kitchens. That's, that would have been a month ago. Maybe. Maybe, maybe three weeks.

20 Have you spoken to, other than the conversation that you mentioned that you probably had after the arrangement with Mr Kang fell over, do you recall having any other conversations with Mr Maguire regarding the immigration issue that you and I have discussed?---No, no.

Have you seen Mr Maguire in person since that time? Perhaps you've seen him more recently in relation to the - - -?---Kitchens.

- - - to the kitchens.---He called in and I was showing him what I wanted to do.

30 And what about between Mr Kang's arrangement falling over and Mr Maguire ceasing to be a member of parliament?---I, I've just got to think back. I don't know. I know after Daryl left parliament, he invited us out for a Sunday lunch once, and that was after he was taken out of parliament.

And I think you might have attended Mr Maguire's daughter's wedding, would that be right?---We did, we did, yes.

40 Was Ms Wang at that wedding, can you remember?---No. I don't think so. No I don't.

Or if she was there, you at least didn't speak to her. Is that what you're saying?---No, I wouldn't, no.

You said very early on that you thought the scheme looked a little bit dubious, and that's why you spoke to your accountant and things like that. I take it you now accept that the scheme was dubious.---Can say that again. Yes.

When did it strike you? When did you get that realisation that instead of it just smelling a little bit fishy, it actually was a dubious and perhaps illegal scheme?---I thought it was okay, but after seeing all this, it doesn't look very good.

You say "all this", you mean the documents from the Immigration Department that I've now shown?---The documents with my, with my signature on it.

10

So you've now seen a series of documents that appear to have been submitted to the Immigration Department, which make you think something dodgy was going on - - -?---Something smells.

- - - in what was being presented to the Immigration Department. Is that right?---Yes. I, I originally said to the lady.

20

THE COMMISSIONER: Maggie.---Yes. That, we were out there and I said this seemed to have gone so clearly, cleanly, the whole process, you know, the meeting, the set-up. We probably signed a, we signed a thing from the government. We got the money. We put it in her bank. We did everything we're supposed to do. But none of that, none of those documents.

MR ROBERTSON: Except at least one road bump was it must have come as a significant surprise to you receiving \$30,000 in cash to take on a plane back to Wagga.---Mmm. It made me quite nervous.

30

That at least would have made you nervous, and that at least put a question mark in your mind, is that right?---Mmm. Didn't quite understand it, but I accepted it because of the government involvement.

Is it right to say both the government involvement, because there's government paperwork and things involved, but also the fact that Mr Maguire, a member of parliament at that point in time, had introduced you to Ms Wang as someone that you might want to do some dealings with, is that fair?---Well, you'd think it would be legitimate.

40

And that's, thinking it was legitimate was affected by Mr Maguire's introduction to Ms Wang, is that right?---Yes.

And when did you get to the point, do you think, where you realised, instead of it just being dubious, this is something that is not appropriate at all? Was it not until you found out that Mr Kang wasn't going to turn up at all, or was there some other step in the process that led you to that conclusion?---Well, possibly when Mr Kang didn't turn up. It's only possibly.

Then it's obvious to all concerned. Ms Wang's told you, well, at the very start there's a possibility that he won't turn up.---Yep.

But here you've ended up with \$30,000, Mr Kang hasn't turned up, and it's at that point, it may have been clear to you before, but at least at that point it's clear to you that this is something in the nature of a scam. Do you agree?---Yeah, I, I do agree. It's, maybe I'm a bit ignorant of a few things, maybe. Well, I just thought we'd done the right thing and we were covered, and that's why it didn't really worry me, but it didn't seem right that he
10 didn't turn up, and he should have turned up.

And that's what you expected. That's what you were in it for.---Yep.

An arrangement that you thought was a sensible business arrangement but would actually result in a human being in your offices for a period of at least three months, correct?---Yes.

That's the examination.

20 THE COMMISSIONER: Thank you, Mr Robertson. Mr Harrowell, did you wish to ask Mr Wood any questions?

MR HARROWELL: No, Commissioner.

THE COMMISSIONER: Shall I excuse Mr Wood.

MR ROBERTSON: Yes, you should, if the Commission pleases.

30 THE COMMISSIONER: Well, Mr Wood, thank you for attending today. You're discharged from your summons and you may leave the witness box. ---Thank you, Commissioner. Thanks for opening my eyes up.

MR ROBERTSON: What do you mean by that, sir?---I didn't know a lot of this.

And so it's the first time – sorry, just take a seat, sorry. So it's the first time that you've seen a number of the documents from the Immigration Department?---A lot of them. A lot of them.

40 And so having seen them confirms some suspicions of dubiousness that you had in the past, is that right?---Yes, exactly.

Thank you.---Thank you.

THE COMMISSIONER: Thank you, Mr Wood.

MR ROBERTSON: You'd better leave, sir, before I ask you another question. Commissioner, that ends the program of witnesses for today.

THE COMMISSIONER: Yes.

MR ROBERTSON: There is a witness list for next week's program of witnesses available on the Commission's website.

THE COMMISSIONER: Thank you.

10 MR ROBERTSON: And I'm grateful that I'm able to say on this occasion I said it would be a short day and correctly anticipated that.

THE COMMISSIONER: Very well. The hearing is now adjourned until Monday.

THE WITNESS EXCUSED **[12.26pm]**

20 **AT 12.26PM THE MATTER WAS ADJOURNED ACCORDINGLY**
[12.26pm]