

BUDGET ESTIMATES 2021-2022

ICAC response to supplementary questions

Portfolio Committee No. 1 – Premier and Finance

Hearing: 21 April 2022

QUESTION	ICAC RESPONSE
<p>Is the Independent Commission Against Corruption aware of any further schemes being conducted by Ernest Wong to subvert donation laws?</p>	<p>The Commission is aware of evidence, which came to light in the Operation Aero public inquiry, to the effect that in 2015 Ernest Wong may have been involved in procuring from various persons cheques purporting to be political donations from them to Chris Minns but on the basis that those persons would be fully reimbursed by Mr Wong for the amount of their cheque.</p> <p>The following exchange is recorded at page 1998 of the Operation Aero public inquiry transcript of 2 October 2019:</p> <p>MR ROBERTSON: <i>Can I deal with some housekeeping matters first. In recent days I've asked questions of a number of witnesses regarding cheques in respect of which the payee was recorded as "ALP Chris Minns". The purpose of those questions was to seek to shed light on the conduct of Ernest Wong, Jonathan Yee and others in connection with the Chinese Friends of Labor event in 2015, including in particular whether those individuals engaged in a pattern of conduct designed to circumvent electoral laws. The investigation the subject of this public inquiry does not include an investigation into whether Mr Chris Minns had any involvement in</i></p>

	<p><i>the issue of the ALP Chris Minns cheques. Whether or not there should be such an investigation into that question is a matter, at least in the first instance, for the NSW Electoral Commission and not for this Commission, and I thought it was appropriate I should record that on the transcript in light of the questions that I've been asking in recent days.</i></p> <p>THE COMMISSIONER: <i>Yes, thank you, Mr Robertson. Just on that matter, Mr Minns has not given evidence in this Commission in this public inquiry. For reasons that you have indicated, it would be quite unfair for anyone to draw inferences or suggest the significance of any evidence concerning the cheques to which reference has been made in circumstances where Mr Minns has not given evidence at all about the matter and had not been required to give evidence.</i></p>
<p>Did the Independent Commission Against Corruption write to the Electoral Commission following the statement from Counsel Assisting the Independent Commission Against Corruption relating to the ALP Chris Minns cheques? If so, can the Commission provide the correspondence to the Committee?</p>	<p>The secrecy provisions of the ICAC Act prevent the Commission from divulging this information.</p>
<p>Did the Independent Commission Against Corruption have an expectation that the Electoral Commissioner would look into the matter raised by Counsel Assisting?</p>	<p>It is a matter for the NSW Electoral Commission to determine whether or not to investigate matters involving possible subversion of the political donation laws.</p>