

RECORD OF INTERVIEW

TAPE NO: 1 (of 1)

DATE: 05-11-2005

PLACE: SYDNEY

TIME COMMENCED: 1800

TIME CONCLUDED:

INTERVIEWEE: JOYCE CHAN

INTERVIEWER/S: DETECTIVE INSPECTOR KEN BEMI

LEGAL OFFICER: THERESA HAMILTON

RE: OPERATION GRAND

FILE NUMBER: MI-05-2482

CRIME & MISCONDUCT COMMISSION
No. 2005-5 Date 17 NOV 05
IN THE MATTER OF:

OP GRAND

EXHIBIT No. 252
[Signature] CLERK

Complainant: OPERATION GRAND
Subject(s): OPERATION GRAND
Investigator: DETECTIVE INSPECTOR KEN BEMI
Statement Of: JOYCE CHAN
Legal Officer: THERESA HAMILTON
File Number: MI-05-2482

COPY TAPE 1 OF 1 - RECORD OF INTERVIEW BETWEEN JOYCE CHAN AND
DETECTIVE INSPECTOR KEN BEMI FROM THE CRIME AND MISCONDUCT
COMMISSION

LEGAL OFFICER:

RE: OPERATION GRAND

JC = JOYCE CHAN

KB = DETECTIVE INSPECTOR KEN BEMI

UI = UNINTELLIGIBLE

- 1 KB The time now is 1:59 pm that's ah New South Wales Daylight Saving Time on Saturday
2 afternoon the 5th day of November 2005, I'm present at the Kirribilli Gourmet Fish Shop
3 at Kirribilli and I'm about to interview a person by the name of Joyce (ui) CHAN in
4 relation to a current inquiry that the Crime and Misconduct of Brisbane is currently
5 undertaking in relation to the Gold Coast City Council elections held in March 2004 and
6 other matters articulated in the terms of reference for the purposes of voice identification
7 I'll ask every person here starting with myself to state their full and correct name. My full
8 name is Kenneth William BEMI I'm a Detective Inspector of Police currently performing
9 duties at the Crime and Misconduct Commission in Brisbane, your full name thanks
10 Joyce
11
12 JC Ah, my full name is ah Joyce CHAN (ui)
13
14 KB Joyce can you please state your current address
15
16 JC Ah, my address is Unit 42, 110 Albert Street, Milsons Point, 2061 at New South Wales
17
18 KB And a telephone number
19
20 JC Um 0417 680798
21
22 KB And your date of birth
23
24 JC Um, March 12th 1954
25
26 KB What I intend to do today is conduct an audio recorded interview with you and by that I
27 mean whatever you say or, or I say will be recorded as we speak do you clearly
28 understand that
29
30 JC Yes, I understand
31
32 KB Do you understand what I wish to talk to you about here today

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33
34 JC Yes
35
36 KB Do you require any other person to be present here with you
37
38 JC No
39
40 KB Can you please state your current occupation
41
42 JC Ah, I'm a Director of um Hung Tat ah which ah owned the golf course that is the Palm
43 Meadow Golf Course
44
45 KB Director of what company sorry
46
47 JC Ah, Hung Tat H u n g T a t Hung Tat Worldwide Pty Limited
48
49 KB Sorry H u
50
51 JC n g
52
53 KB Yep
54
55 JC T a t
56
57 KB T a t y e p
58
59 JC Worldwide
60
61 KB Worldwide
62
63 JC Pty Limited
64
65 KB Hung Tat Worldwide Pty Limited
66
67 JC Yes
68
69 KB And you are a Director of that company
70
71 JC Yes
72
73 KB Are you the sole director
74
75 JC No, I'm not I'm only one of the directors
76 KB How many other directors are there
77

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78 JC Um, there are Dr Stanley HO and um Ms Angela LEUNG and yeah Warren and me
79
80 KB What does that company do
81
82 JC Um, this company owns the golf course
83
84 KB Palm Meadows
85
86 JC Yeah Palm Meadows Golf Course and 32 hotel rooms at Radisson Hotel
87
88 KB And your husband Warren CHUNG
89
90 JC Yes
91
92 KB He's also a director of this company
93
94 JC Yes, he's also a director
95
96 KB What about in relation to the companies Ninaford and Femulgate, have you any
97 involvement
98
99 JC Yes, I'm also the director of um these two companies Femulgate and Ninaford and the
100 shareholder is the are the same shareholders as Hung Tat Worldwide Pty Limited
101
102 KB So, Hung Tat Worldwide Pty Limited, are they the parent company of Femulgate and
103 Ninaford
104
105 JC No, they are not
106
107 KB So they're not associated
108
109 JC They are not associates
110
111 KB So summing up you're the director of Hung Tat Worldwide Pty Limited which owns the
112 Palm Meadows Golf Course
113
114 JC Yep
115
116 KB And you're also ah one of the directors of Femulgate and Ninaford, they're two separate
117 companies
118
119 JC Yes, separate companies
120 KB And what do they do Femulgate and Ninaford
121

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122 JC Um, they have the ah shops ah before ah they um developed so um we just have the rental
123 income from these two companies and other other than this Femulgate owned um house
124 in (ui) Island and Ninaford owned two houses in (ui) Island
125
126 KB (ui) Are there any development projects that any of your companies are involved with on
127 the Gold Coast
128
129 JC Now we have the (ui) Project ah in the Gold Coast
130
131 KB (ui)
132
133 JC Yep, we got the ah Wave Project coming up at the moment at the Gold Coast
134
135 KB Whereabouts is the Wave Project
136
137 JC Ah, it is in Broadbeach, um, next um very close to the Jupiter Casino
138
139 KB And what is the Wave Project
140
141 JC Hmm it is a ah residential and commercial development project
142
143 KB Have you any other projects, development projects on the Gold Coast
144
145 JC No, this is the only one
146
147 KB Has that been completed yet, the Wave Project
148
149 JC No, um, it has started end of last year and should be completed early 2007
150
151 KB Do you know a person by the name of Tony HICKEY
152
153 JC Yes, he's our lawyer
154
155 KB He's from Hickey Lawyers
156
157 JC Yes, he's the, the owner of Hickey Lawyers, one of the partners I suppose
158
159 KB And he represents what companies that you're involved with
160
161 JC Um, he is our company lawyer um, he is the company lawyer of ah Palm Meadows as
162 well so we know him pretty well and now ah that we are doing the project he become our
163 um company lawyer as well
164 KB OK, so he's the company lawyer for the Wave Project
165
166 JC Ah, yes

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167
168 KB He's the company lawyer for Palm Meadows
169
170 JC Yes
171
172 KB Is he also the company lawyer for Femulgate and Ninaford
173
174 JC Um, not, not exactly, because um we don't need a company lawyer for Femulgate ad
175 Ninaford because this is only a rental income company not much to do
176
177 KB Can you tell me when you first met Tony HICKEY
178
179 JC Um, oh when I first met him he was introduced to us by um ah a friend of Dr HO's Mr
180 Tiki LAING which is ah previous director of ah Hung Tat as well but now he's no more
181 the director because he has left so um you just ah because Mr LAING'S (ui) is an honest
182 person and very reliable so we know him and then after that we find him ah very hard
183 working so we just know him pretty well from that time
184
185 KB So how many years would that be
186
187 JC Um, that would be about ah 6 or 7 years or more than that
188
189 KB Can you ever recall having a conversation with Tony HICKEY in relation to making a
190 financial donation for an election campaign
191
192 JC Yes, I remember um at one time we have ah we go ah we went to Gold Coast every
193 month and at some time last year he has mentioned this to us
194
195 KB What did he say to you in relation to that donation
196
197 JC Oh, he said um, the council is doing um very good job so we have to contribute so um we
198 asked how much would that be and he said oh ah shouldn't be much ah the maximum
199 would be ten thousand so we said if um you think it is ah reasonable we don't mind to
200 have a donation to the council
201
202 KB So where did he have this conversation with you
203
204 JC Ah, I can't remember because every time we would be ah having meeting with a Tony
205 HICKEY at his office so mostly would be in his office
206
207 KB Could it have been over dinner one night
208 JC Oh maybe dinner, yeah maybe dinner, can't remember exactly
209
210 KB Do you know when he had this conversation with you
211

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212 JC Umm, I think it July or August sometime last year
213
214 KB And was any other person present when he had this conversation with you
215
216 JC No ah only Warren and me
217
218 KB There's and Tony HICKEY
219
220 JC And Tony, yes
221
222 KB So, this is important so I'll just direct your attention to it can you just recall to the best of
223 your recollection what he actually said in that conversation
224
225 JC I remember Tony said um council is ah good people so um if ah the budget is not tight or
226 would you like to make some contribution to the council and then I, I, remember Warren
227 both Warren and I said oh doesn't have problem because since this is a very profitable
228 project so um if not much we would very happy to donate
229
230 KB Did he suggest an amount for you, to donate
231
232 JC Ah, no, but we I think, Warren and management that ah the maximum ten thousand not
233 much but more than that
234
235 KB And did Tony HICKEY agree with that amount
236
237 JC Um, Tony said oh it would be more or less the same it won't be much
238
239 KB Right, did he agree to the actual amount to ten thousand dollars when Warren said that's
240 the maximum
241
242 JC Hmm
243
244 KB Or did he ask for more
245
246 JC No, he didn't ask for more
247
248 KB Right
249
250 JC He just said whatever we like
251
252 KB So, he said that the council's doing a, a, good job here on the coast
253
254 JC Yes
255
256 KB And would you mind making a financial contribution to the council

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257
258 JC Yes,
259
260 KB Is that what he said or
261
262 JC Yes, yes, that's just ah yeah ah that's what he said he's doing a good job and ...
263
264 KB Did he say he'd make a financial contribution to the council or ...
265
266 JC No, he didn't mention about financial contr...ah he just meant ah he's just ah, ah saying
267 that oh would you like do some contribution
268
269 KB Right
270
271 JC Yeah, so I suppose if the council would like us to sponsor a corporate day or birthday we
272 don't mind
273
274 KB Yeah
275
276 JC Ah, if, ah in the contr in the way of money, we don't mind yeah because I, I, think it's a
277 very common practice to have some donation to the um people who are doing a good job
278 for us
279
280 KB Yeah, yeah, yeah, alright, so did he say that the council's doing a good job
281
282 JC Yes
283
284 KB And he basically he said that would you mind making a donation but did he say to whom
285 to whom that donation
286
287 JC No, no, no
288
289 KB Right. Did he say what that money was going to be used for that donation
290
291 JC No, I, I, didn't hear anything about he didn't mention about anything about this
292
293 KB Did he mention anything about an election campaign fund
294
295 JC No, I haven't heard of this
296 KB Right, so just summarising can you just go over that conversation again what you think he
297 said to you cause that is important
298
299 JC Hmm, so I hope I can remember exactly what he said
300
301 KB Just words, words to the effect if you can't remember

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302
303 JC Yeah, um, yeah, he, he mentioned that oh since the Gold Coast council is um very nice
304 people they are good doing very good job and for um best ah if you don't mind would
305 you like to do some ah donation or contribution to the council so um
306
307 KB So he mentioned to the council make the contribution to the council
308
309 JC Yes so we said we don't mind if it not much we can ah have ah, ah, ah a contribution
310 since our project is profitable if um not more than ten thousand we may like to do
311 something about this
312
313 KB Who's saying this you or Warren or ..
314
315 JC Umm
316
317 KB Who mentioned about the ten thousand dollars
318
319 JC I think I mentioned this yeah
320
321 KB Alright
322
323 JC Because I don't want to spend much
324
325 KB Did Mr HICKEY suggest any what advantages there would be in making a financial
326 contribution to the council on the Gold Coast
327
328 JC No, he didn't mention any advantage and (ui) we don't expect any advantage from this
329
330 KB So he never mentioned any
331
332 JC No, no, he never mentioned
333
334 KB Advantage or favours
335
336 JC No, no, no favours no, no advantage no benefits
337
338 KB And he didn't inform you what the money would be used for at all
339
340 JC No
341
342 KB Did he say to whom it would go to
343
344 JC No
345
346 KB So he just said to council

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347
348 JC Yeah but um Warren did mention that um since we have to ah let the accountant have the
349 book chipping, Warren said ah we have to have an invoice
350
351 KB Yeah
352
353 JC to keep a record so Tony said oh I will ask them to give you an invoice and then ah before
354 you give us the cheque
355
356 KB Did Tony HICKEY have any other conversation with you or Warren that you can
357 remember in relation to making this financial donation
358
359 JC No
360
361 KB Alright
362
363 JC That is the only conversation we have after that we don't mention about this. He sent us
364 the invoice and then we sent him the cheque
365
366 KB [background voices] so who actually wrote the cheque out
367
368 JC I write the cheque
369
370 KB And was it a company cheque or your own personal cheque
371
372 JC Yes, no, ah it's a company cheque a Femulgate ah and Limited cheque for the Wave
373 Project
374
375 KB So it was one cheque
376
377 JC Yes
378
379 KB Referring to those two companies
380
381 JC Yes
382
383 KB And what financial institution is that cheque account with
384 JC Ah, National Bank
385
386 KB Did you write the cheque out there and then or did you write it out later
387
388 JC [background laughter] After I received after I come back to Sydney I received um the
389 mail and then I got this invoice then I sent the cheque over to Tony
390
391 KB So, you received the invoice first

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392
393 JC Yes
394
395 KB Then you wrote the cheque
396
397 JC Yes
398
399 KB And you wrote the cheque out here in Sydney and you posted it up to Tony
400
401 JC Yes, I posted it up
402
403 KB Is that right care of HICKEY Lawyers
404
405 JC Yes, I sent it to HICKEY Lawyers office
406
407 KB Why did you, did you request the invoice before you sent the cheque
408
409 JC No because um I normally got the invoice before I wrote out all cheques
410
411 KB So, you requested
412
413 JC So, this is a practice . Yeah, I requested
414
415 KB So you got the invoice and if I can just show youdo you recognise this invoice
416
417 JC Yeah, yes, yes, this is the one I received from Tony
418
419 KB It's a copy of an invoice, and it has the amount of ten thousand dollars there for
420 consultancy fees
421
422 JC Yes
423
424 KB What consultancy fees were they do you know
425
426 JC Ah, I, I, don't know because I need an invoice that's why maybe the reason that Tony put
427 it there but I know that this is a donation
428 KB Did you ever have any meeting with anyone from Quadrant
429
430 JC No
431
432 KB That's where the invoice came from - Quadrant
433
434 JC Yes, I know that this is the company but I don't know who, who is in charge, I don't
435 know
436

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437 KB Do you know what they do at all
438
439 JC No
440
441 KB So you've never provided any consultancy fees to Quadrant
442
443 JC No
444
445 KB And the total amount was eleven thousand dollars when you add a thousand dollars GST
446
447 JC Yes
448
449 KB So, the tax invoice is made out to Ninaford Pty Limited Femulgate Pty Limited care of
450 HICKEY Lawyers that's the two companies that you are a director in
451
452 JC Yes
453
454 KB Or one of the directors
455
456 JC Ah, both
457
458 KB Right so you're one of ah number of directors in both of those companies
459
460 JC Yeah
461
462 KB Yeah, alright so would you describe this invoice as being accurate in relation to providing
463 consultancy to Quadrant
464
465 JC What do you mean by correct
466
467 KB Alright, see how it's got consultancy fees
468
469 JC Yes
470
471 KB Is that a service that you provided to Quadrant at all any consultancy work
472 JC No, I can't recall any, any work they had done
473
474 KB Alright, yeah, I'm just trying to, to get your opinion in relation to why consultancy fees
475 appear on the invoice, that's all
476
477 JC I see
478
479 KB Yeah, but you didn't you can't recall doing any consultancy work for Quadrant
480
481 JC No, no, yeah, maybe they have provided consultancy to Tony

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482
483 KB To Tony HICKEY
484
485 JC Yeah, because all the invoices were approved by Tony and also by our project manager
486 before they pass it to me for ah writing a cheque
487
488 KB Alright, right, yeah, yeah and the reason why I bring that up is it's got the client Ninaford
489 and Femulgate so that would suggest that Ninaford and Femulgate has provided
490 consultancy services
491
492 JC Hmm
493
494 KB Do you agree with that if it's written there
495
496 JC Yeah, yeah, I see that, yep, yep, yep
497
498 KB Yeah, yeah, that's, that's my point but it's also got
499
500 JC I see
501
502 KB Care of HICKEY Lawyers there but in any event
503
504 JC Yep
505
506 KB You're not aware of either Ninaford Femulgate providing any consultancy services to
507 Quadrant
508
509 JC Yeah, maybe they have but I don't know because all the invoices are, are presented like
510 that
511
512 KB Yeah right OK
513
514 JC Yes
515
516 KB OK, so could someone else from Ninaford and Femulgate have provided consultancy
517 service to Quadrant
518
519 JC No, I don't think so
520
521 KB No, so you don't think so, alright
522
523 JC No, no
524
525 KB Have you provided any consultancy service to HICKEY Lawyers at all
526

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527 JC No
528
529 KB OK, alright, can you comment any further on this invoice
530
531 JC No
532
533 KB But it's the invoice that you did receive it's a copy of it
534
535 JC Yes, before I sent the cheque
536
537 KB Yeah have you still got that original invoice
538
539 JC Ah, yes, I think I got that in my files
540
541 KB When you had that conversation with Tony HICKEY in relation to making the donation
542 did he discuss with you what would be put on the invoice that he would send to you
543
544 JC No
545
546 KB He didn't, so he didn't mention anything about consultancy fees
547
548 JC No
549
550 KB Is that the only donation that you made to HICKEY Lawyers
551
552 JC Yes
553
554 KB And you said before that ah Quadrant was never mentioned that's where the that's to
555 whom the money, the money was going to
556
557 JC No, yeah, he never, he never
558
559 KB When he asked you for the donation
560 JC Mentioned
561
562 KB As far as you were concerned you thought it was going to the Gold Coast City Council
563
564 JC Yes
565
566 KB But you didn't know what for
567
568 JC No
569
570 KB And you didn't know how the money was going to be used
571

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572 JC Yes, because we are very ah happy to donate ah some, some sort of ah, ah money or
573 whatever they like to the community that's what it is
574
575 KB Yeah, so you believe that's was one of the reasons for the donation
576
577 JC Yes, yes, yes, exactly
578
579 KB To the Gold Coast City Council
580
581 JC Yep
582
583 KB But did Tony HICKEY say how that money was going to be used in the community or
584
585 JC No
586
587 KB Do you know a person by the name of Lionel BARDEN at all
588
589 JC No
590
591 KB Do you know a person by the name of Brian RAY at all he's now deceased but did you
592 know a person by the name Brian RAY
593
594 JC No
595
596 KB Do you know any of the councillors on the Gold Coast
597
598 JC No, not one of them
599
600 KB Do you know or did you know any of the candidates who ran in the Gold Coast City
601 elections in March 2004, on the Gold Coast
602
603 JC No
604
605 KB Now, I believe that there was some legal action brought by your companies Ninaford
606 Investments and Fermulgate Investments against the Gold Coast City Council, is that
607 right
608
609 JC Sorry, what is it
610
611 KB Is there some legal action that was bought by Ninaford and Fermulgate against the Gold
612 Coast City Council in relation to infrastructure charges
613
614 JC Oh yes, yes, yes the infrastructure yes
615
616 KB Could you just outline your knowledge of that, what that was about

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617
618 JC Um, I remember the um council want a, a, would like us to have a contribution of 1.5
619 million for the infrastructure and then um because our budget doesn't have much that
620 much money so Tony um he's um very kind in um having this legal appeal against the
621 council and then I think we have a choice legal appeal and then finally at last time ah
622 Tony said that ah we are able to cut to half of it yeah
623
624 KB Has it been finalised that legal action now do you know
625
626 JC Yes
627
628 KB That's in relation to the Wave Project isn't it
629
630 JC Yes, that's in relation
631
632 KB Was there any mention of that legal action at the time of making that donation
633
634 JC No, no, no,
635
636 KB Had it started at that time
637
638 JC Hmm, I can't remember but Tony doesn't mention about this
639
640 KB Can you recall when you wrote that cheque out to Tony HICKEY
641
642 JC Ah, sometime in August
643
644 KB 2004 you don't know
645
646 JC Yeah 2004
647
648 KB You don't know the exact date at all
649
650 JC I can't remember the exact date
651
652 KB So when you had this conversation with Tony HICKEY he was the one that asked you for
653 the don.. did you ask you for the donation or Warren, your husband
654
655 JC Ah, both of us were, were present
656
657 KB Right
658
659 JC So I suppose he asked both of us
660
661 KB And who asked him for the invoice, first you or Warren

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662
663 JC Warren
664
665 KB He asked him for the invoice first
666
667 JC Yes, because Warren ah is um ah, ah a very accounting mind he doesn't want anything
668 that's not in record
669
670 KB Yeah
671
672 JC Yeah
673
674 KB Alright but there was no discussion that you can recall as to what was going to be
675 included in the invoice as to what the donation was for
676
677 JC No
678
679 KB But who's decision was it finally to decide whether there would be a donation made to
680 Tony HICKEY [helicopter noise] as requested by him both you and your husband Warren
681 was it your decision or was your husband's decision
682
683 JC Hmm, well we both think that ah it is um a good decision to contribute some donation
684
685 [talking background]
686
687 KB So, it was a joint decision
688
689 JC Yes
690
691 KB But you're the person that actually wrote the cheque
692
693 JC Yes, I'm the one that write the cheque
694
695 KB Would your husband be authorised to write the cheque
696
697 JC Yes, he's one of the ah signatory of the account
698
699 KB Is there any reasons why you wrote it as opposed to your husband
700
701 JC Oh no because since from day one I am the one who wrote the cheques so he just let me
702 do it
703
704 KB Is there anything further that you'd like to say in relation to this matter at all
705
706 JC No, I can't remember anything ah related to this one

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Legal Officer: THERESA HAMILTON
File Number: MI-05-2482

707
708 KB Can you recall when you were speaking with Tony HICKEY was there any mention made
709 of any election campaign fund
710
711 JC No, I can't remember anything about this
712
713 KB Thank you. Would you agree that what you've stated to me today is true and correct to
714 the best of your knowledge and your belief
715
716 JC Sorry, what did you
717
718 KB Ah, do you agree what you've stated to me today during this interview
719
720 JC Yes
721
722 KB Is true and correct to the best of your knowledge and belief
723
724 JC Yes
725
726 KB And do you agree that you've participated this interview of your own free will here today
727
728 JC Yes
729
730 KB Thank you. The time now is 2:24 pm on the afternoon of Saturday 5th day of November
731 2005 this interview is now concluded.
732
733

HF/CHAN Joyce tp 1 of 1 05-11-2005

Complainant: OPERATION GRAND
Subject(s): OPERATION GRAND
Investigator: DETECTIVE INSPECTOR KEN BEMI
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