

TOLOSAPUB01938
02/06/2022

TOLOSA
pp 01938-01993

PUBLIC
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION TOLOSA

Reference: Operation E17/1221

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 2 JUNE, 2022

AT 2.00PM

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

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

THE COMMISSIONER: Mr Darams.

MR DARAMS: Mr Tsirekas, could I ask that you be shown volume 5A, page 263? Do you recall I was asking you some questions before the adjournment about the \$8,500 cash payment?---Yes.

10 Just trying to understand your evidence about this. You say some of that payment, or most of that payment was cash provided to you by your father in late-2016/early-2017.---A component of that was, yes.

I think your evidence was that most of it was but some of it was your own cash, is that right?---Some of it was, yes.

I think you said about \$1,000 was your own cash?---No, I didn't say that.

How much did you say was your cash?---Oh, I, I can't recall.

20

You said before that you thought your dad gave you between eight and \$10,000 in the period of time late-2016/early-2017. Remember that evidence?---Yeah. And, and that was to my best of my recollection, yes.

Do I take it then that if not all of that 8,500 payment was the cash your dad gave you, you had otherwise spend some of that cash your dad had given you?---You're asking two questions there. Which one do you want me to answer first.

30 Well, let's break it down. Your evidence is that the cash that your dad gave you was between eight and \$10,000.---To my best of my recollection, yes.

Given that that payment there is \$8,500 and some of it is your cash, i.e. not the cash your dad gave you, does that suggest that you spent some of the 8,000 to \$10,000 cash that your dad had given you?---I may have.

If you had spent that cash, what would you have spent it on?---That period of time, there, there was a, I think, a payment of, which I referred to that I paid Joseph Chidiac back, I think, a couple of months before, December or
40 November.

So you say that you paid Joseph – I think you said you gave Joseph Chidiac
- - -?---I think I paid him for that - - -

\$3,000 or something, you said, your evidence was?---Yes, yes.

So you paid Mr Chidiac \$3,000 from the cash your father gave you, did
you?---It was some of that and some of it that I had. I, I had some cash with
me as well.

10 Just answer my question.---I don't know how much of that, that I paid
Joseph Chidiac, was my dad's. That's my answer

So some of the money your dad gave you went to repay Joseph Chidiac?
---Some, yeah, yeah.

Some of it. Some of what you repaid Joseph Chidiac came from your own
cash resources, did it?---Some of it, yeah.

20 Did anyone else give you any money to repay Joseph Chidiac?---No.

So it's come from the money your dad gave you or your money?---That's
right.

\$3,000 you paid back Joseph Chidiac?---I think it was, that's what he said it
- - -

No, don't worry about what he said. What did you - - -?---That's what I
gave him, yes.

30 Yes. You say that was for the airfare for the January 2016 trip?---No. I,
looking back, I got confused with the November 2015, January 2016 and
August trips. So on what you showed me yesterday on that ticket, that
ticket was for the January one, not the November one.

So you paid your airfare to Shanghai in January 2016, and return?---Yes.

I took you through your records.---Yes.

40 So the 3,000 you paid back to Mr Chidiac at the end of December 2016, that
was in relation to the August 2016 trip to Shanghai?---Yes, yeah.

The airfare for that trip.---Yes. Which I, I might say, I was not on council during that period.

Don't worry about – we understand when you were on and off council.---I just wanted to say - - -

You don't need to point it out, I know it.---All right.

10 Could I ask that the witness be shown volume 5A, page 188? Sorry. Bear with me. Just in relation to this January 2016 trip to Shanghai, you accept that you didn't pay the accommodation in Shanghai on that trip. That's right?---That's right.

Could the witness be shown volume 8.3, page 55? Mr Tsirekas, this is an extract of your interview with Mr Berry and Mr Fox on 9 September, 2020?---That's right.

20 You were asked on this occasion about this trip to Shanghai in January 2016. You remember that?---Yes.

Picking up the top of the questioning, Mr Berry says, "All right. And do you, who else attended that trip with you?" You say, "January '16? It would have been Chidiac on that one." Mr Berry, "Aha. And what was the purpose of that travel?" You respond, "As far as my recollection goes, it was just a private trip." Then I want to go down a couple of questions. Mr Berry says, "Do you know where you stayed, where your accommodation was in Shanghai?" You said, "I think we always stay at The Langham." Mr Berry says, "The Langham. Okay. Did you pay for your accommodation?" You say, "I paid for my accommodation." And then Mr Berry says, "All right. Can you tell me how you paid for your accommodation?" You said, 30 "To the best of my recollection, I paid cash on that trip." So that evidence is not true, is it, Mr Tsirekas?---When I was interviewed, I gave the best answer I could truthfully but on the understanding that I've been to The Langham so many times, I may have been confused on what trip.

40 Well, you didn't say you were confused when you answered this question from Mr Berry. You came out and said, "I paid for my accommodation." That was your answer, wasn't it?---Back then under the questioning, I did my best to answer truthfully. Putting it into context, I'd been to China many times and I was very confused on what trip.

THE COMMISSIONER: So where it says about line 11, "I paid for my accommodation" - - -?---Yes.

- - - in answer to the question put to you, are you saying now that answer was incorrect?---I, I, I answered it then, Commissioner, to, to my, as, as best I could truthfully.

Yeah. But are you now saying that answer is incorrect?---The answer is incorrect 'cause it's dealing with one trip that, it, it's, it's confused - - -

10

Yeah. So this is another example where - - -?---Yeah.

- - - you've made a statement and now in this hearing, you revise your statement and say, no, that's not correct. This is just yet another example of that process of you admitting to something, in this case, to the investigator and now retracting it, saying it's not correct?---And I'd like to correct it, yes.

20 Yeah. So this is a series of questions now, you've been put, that you've said one thing and now you want to say what you said was wrong or incorrect. Is that right?---Well, at, at that stage, Commissioner, I was answering to, to my best of my recollection - - -

There's been a series of these instances now - - -?---Well - - -

- - - hasn't there, whereby you've been asked, you've been asking - - -?
---Well - - -

30 - - - to correct something you said on a prior occasion either in a compulsory examination or in record of interview that you're addressing now?---And I'd like to correct it.

Yes.---I was confused on that occasion.

And you've been choosing, liking to correct things now, though at the time the questions were originally asked, you were stating them to the best of your recollection at the time those questions were asked. Is that right?

---Commissioner, no, no, no - - -

40 Is that right? Don't make statements just, is that right or not right?---No, it's not right.

It's not right. What's not right about it?---I tried to explain when I was interviewed I got confused of the occasion of travel to Langham. Back then I was answering it as best I could. Now I'd like to correct it.

MR DARAMS: So if the questioning follows, so you're correcting it now. You agree now you didn't pay for your accommodation.---Not at that stage.

No, you agree now.---I have paid for that accommodation.

10

THE COMMISSIONER: You mean you reimbursed somebody or - - -?
---Yes.

- - - did you pay it direct?

MR DARAMS: Sorry, who did you pay, who did you pay this accommodation, Shanghai 2016? Now, you're under oath.---No, I understand and I think I answered it yesterday but on, on my settlement I asked Mr Chidiac, "How much did I owe for travel?" And he said, "9,000."
20 And I said, "Is that all I owe you for the travel?" And he said, "Yes."

That was travel to Dubai.---No, no, it was also including some Chinese - - -

No, that's what you want to explain now, is it, Mr Tsirekas?---No. I think I've said that before.

So anyway, let's just, you continue on in this questioning. Not only do you say, Mr Tsirekas, in the answer to Mr Berry's questions that you paid the accommodation, you then give an explanation how you paid it. You refer specifically using cash. Do you see that? So obviously that evidence - - -?
30 ---Yes, I do.

That evidence isn't true, is it?---It was true for the 2017 not 2016.

No. Well, we're not talking about 2017, Mr Tsirekas.---I was answering to my best of my ability to recollect.

Your answer in January 2016.---Yeah, and I got asked these questions in 2020 so four years' lapse after many trips.

40

You didn't hesitate. You said that you were paying cash on the trip.---All I can say was I was answering that to my best of my abilities to recall things that have happened over many years ago.

Then it goes a bit further where you were asked by Mr Berry, "Where did the cash come from?" And you say, "My holiday expenses." Do you see that?---Mmm.

10 It's the case, isn't it, that you had something you refer to as your holiday expense, is it?---Mmm.

Mr Tsirekas?---Sorry, what are you referring to? What trip?

I'm just referring to the answers that you gave in answer to Mr Berry where he asks you at about line 24 or 25 - - -?---Right.

- - - "Where did the cash come from?"---Mmm.

20 You respond, "My holiday expenses."---And again can I answer?

No, my question was that you've got something that you were referring to as holiday expenses, have you, or did you at this time in 2016?---No.

Well, don't you then go on where Mr Berry asks you, "Where was that located? Where did you have your holiday expenses?" You respond, "I had cash." Mr Berry says, "You had cash?" And you said, "Yeah."---Mmm.

30 The questioning goes, "Okay." And you go, "Yeah," again. If we go over the page. You tell Mr Berry, "So your holiday expenses (not transcribable) is a bank account or is it cash at home?" And you said, "I had a bit of cash at home because I had, had cash travelling money." All that evidence is true, is it?---Yes, I did.

40 Okay. Then you're asked by Mr Berry, "How much cash did you have at home around January 2016?" You say you don't know. Then he asked you some questions about where it was and you tell him it was in a box. Then about line 19, "How did you accrue that or any cash you put in your shoebox?" Then you just say, "I had it over a long period of time." So he's talking about up to this period of time in 2016. Then he asks you, Mr Berry at line 20, "What's a long period of time?" Your response, "Well, a long time. Since my separation I just kept cash." A question about when you

separated. You tell him 2013. Then Mr Berry says, "And do you have any recollection of when you started collecting the cash, how much you had?" Then you said, "Oh, a couple of thousand, not much." Mr Berry questions you on that, "A couple of thousand?" "Yeah." Then he asks you, "Did it increase over time?" Your response is "I had to borrow some from Frank," if we go over the page, in two, when you say "2/18", you mean February 2018, that's right?---I think so, yes. 2/18. That would be right.

10 So then Mr Berry says, "All right, all right." "That's 2/18, but between 2/13, say 2/16, I didn't have that much cash, just a bit of travelling money." And then he says, "And so I think you said a couple of thousand." You say, "Yeah." And then Mr Berry asks you about line 13, "Would it have been in excess of 5,000?" You say, "No." And then "No, less than 5,000." "Yes." So somewhere between 2,000 and 5,000 at the beginning of 2016, correct, Mr Tsirekas?---That period of time I'm, I'm trying to remember - - -

Just, just - - ?---And again, when I was questioned I, I was trying to remember. So it, to, that's to my best of my recollection.

20 Yeah, somewhere between 2,000 - - ?---I don't know exactly.

Somewhere between 2,000 and 5,000 in this box?---Well, no, I, I don't know exactly. That was the best answer I could give on recollecting four years ago. So I'm not too sure.

What, it could be less than 2,000?---Well, I, I can't answer that because I don't know.

30 You don't know.---No. I can't remember exactly, no.

Well, I'm not asking you exactly but is the – you must know around about how much you had in this, I think you referred to it as a, box of cash in your house in January 2016.---No, I don't remember.

Where did that cash come from?---No, I don't. As I said before, I was living at home - - -

40 Where did the cash come from?---Can I explain? It was mine that I had been collecting living with my parents over 16 months and also dad was helping me.

Well, you - - -?---So I, over time, I did have cash at home.

Yeah. But your dad was helping you on 2015, you put that money in the bank account.---That's right.

Your dad helped you in the middle of 2016 with the \$10,000 that you applied to the trip.---That's right.

10 Just focusing on this cash in the box you say you had in January 2016, the beginning of January 2016, where did that cash come from?---I had cash at home.

Yeah, I know. But where did it come from?---I was collecting it over a long period of time.

Since your separation?---I'd been living at home for over 16 months. I, I was collecting cash.

20 THE COMMISSIONER: Collecting it from where?---I, I was saving money, I was - - -

Where was the money coming from?---It, it was, it was, the, the collective was mine and my father's. I don't know exactly the amounts, Commissioner.

MR DARAMS: No, but the question was where did the cash come from? ---It was my cash that I had been holding over that period of time.

30 THE COMMISSIONER: It must have come from somewhere, it had to have an origin. Where did it come from?---It, it was collected over a, a period of time. I was living at home, I wasn't paying board.

I'll repeat my question. Where did the money come from?---It, it was my money, Commissioner.

I'll repeat it again. Where did you get the money from originally?---I was collecting the money over a period of time.

40 And where from?---Over a period of time, Commissioner. It was my money. I wasn't going out and spending it.

Well, where you getting the money from?---It was my money,
Commissioner.

Where did it come from?---I was collecting it over a period of time.

From where, from where?---My, my own money.

You realise you're refusing to answer the question, don't you?---I'm trying
to answer it to the best - - -

10

And you are deliberately refusing to answer the question.---Ah - - -

What was the source of the money, where was the cash money coming from
into your hands?---From my father and myself. We, I was - - -

But you can't give to yourself, can you?---No. I - - -

Well, don't give stupid answers.---No, I wasn't giving a stupid answer.

20

You understand what I'm getting at, don't you?---Yes, and I, I'm, I'm
telling you the truth.

Well, why don't you tell me? What have you got to hide?---Nothing, it was
my money.

Where did you get it in the first place?---From saving that money.

Where did you get it from in the first place?---If, I, I wasn't going out, I was
collecting and saving money.

30

Where did you get the money from in the first instance, Mr Tsirekas?
---Commissioner, I can only tell you that it was my money if I was not
going out - - -

Where did it come from?--- - - - if I was - - -

Where did it come from?---If I was withdrawing, not going out, or my dad
was giving me money, I wasn't paying board, I was saving money.

You realise by persisting in refusing to answer my question, you will put yourself in contempt of this Commission? That's a serious business but - - - ?---Yeah.

- - - I'm just warning you. Now tell us. Where was the cash money coming from into your hands?---Commissioner, all I can say was that long ago, which is over nine years ago, I cannot recall exactly where my money was coming from except that it was my money from me saving, not going out, taking money out and holding it over a long period of time, and also living
10 at home, my dad would also give me a bit of money. It was not, you know, that much money over nine years - - -

MR DARAMS: You weren't living at home - - -?--- - - - in 2013 - - -

Sorry. It wasn't that much money, so it was, that's right, it's somewhere between 2,000 and 5,000, less than 5,000, that's right?---Look, I can't - - -

No. You said it wasn't - - -?--- - - - I can't recall how much. You keep asking me.
20

You said it wasn't - - -?---I can't recall.

You said it wasn't that much money.---Well, again, I'd be, I don't want to guess how much it was - - -

So we're at January 2016 at this stage.---January 2016.

You were asked a question about January 2016?---Yes, by Mr Berry.

30 You hadn't lived at home since the middle of 2014?---Yes.

That's right?---Yes.

So you'd been out of home?---Yes.

Your dad gave you money in 2015 that went into the bank account Machonic?---2015, yes.

Your dad gave you money, 10,000, in 2016 which went to the trip to Italy?
40 ---To, to, yes.

All of that was spent on that trip?---Yeah, for the tickets, yes.

Yes. Your dad gave you money at the end of 2016 which you say you - - -?
---'16, '17, yeah.

- - - or '17 which you say you - - -?---Yes.

- - - used on the Hawaii trip in 2018 or some of it you spent?---Some of it
was my own money but then I can't recall how much it was.

10

So what I want to suggest to you is the money in the shoebox here, well, not
much money - - -?---Yeah, look - - -

That wasn't money from your father?---Look, I can't recall - - -

Why would you take money and save money in a shoebox or a box in your
house and not put it in your bank account?---No, no real reason except that I
was saving money to use on expenses and again I didn't want to put it all in
the bank.

20

Well, why not? Why not put it all in the bank?---Well, no real reason, like
everybody else that has cash at home, you know, is there a law against
having cash at home?

You had a savings account. Correct?---I had a savings account, yes.

You were using that for savings and you had a sort of a transaction or a
number of transaction accounts if I could suggest that during this period of
time. That's right?---Correct.

30

There is obviously nothing about people having money at home.---Mmm.

I'm just asking you some questions about why you would keep, if you were
saving money and you have a savings account, why you wouldn't save it in
the bank account?---No real reason except I would like to have some cash at
home and is there a law against having cash at home?

Doesn't it suggest, then, that you wouldn't have, you know, tens of
thousands at home, would you?---Tens and thousands, no.

40

Tens of thousands of dollars at home, no?---No.

So, again, it's back to this, I want to suggest to you that you don't have that much money in cash at home. Is that correct?---Depending what period of time - - -

Why, did someone - - -?---The

- - - someone supplement and give you cash at some period of time, did they?---No. No, no. My father - - -

10

Well, we've spoken about your father and the cash amounts.---Well, that's what I'm saying. When my father gave me cash, I had cash at home. And also when I asked a friend, Mr Colacicco, to give me some cash.

Well, Mr Colacicco didn't give you cash until 2018?---Yeah, that's right. Yeah.

That's right. So let's go back to this stage in 2016. You don't have much cash at home?---I can't recall how much it was.

20

So, let's move to your trip to Dubai in February 2016. You went with Mr Colacicco, is that right?

THE COMMISSIONER: February 2016?

MR DARAMS: That's right, February 2016.---Yes.

What was the purpose of that trip?---No real purpose, it was a trip.

30

Just a holiday then?---It was, like all those trips, I was willing to go and have a trip away with, with friends.

A holiday with friends?---Yeah, a holiday, a couple of days away from Sydney.

Who paid for your accommodation on this trip?---Mr Colacicco.

How much did he pay?---I've got no idea.

Was it a gift from Mr Colacicco or was it a loan by Mr Colacicco?---Oh, neither. He, he's a friend and he was willing to, to pay. I think he had a good deal at the place we were staying so - - -

You accepted the benefit from Mr Colacicco, or the benefit of that accommodation?---I stayed with him, yes.

And you accepted that benefit from Mr Colacicco?---Yes, yes.

- 10 Did you exchange any money before you left Australia for the foreign currency?---I cannot recall. I may have. I can't recall.

Do you recall occasions where you have exchanged money for foreign currency before you left Australia?---I don't remember.

Could the witness be shown volume 5A, page 75? This is a record, Mr Tsirekas, of a foreign money exchange which identifies you as the person who was exchanging money on this date, 9 February, 2016.---Yes.

- 20 Does this assist you with your recollection now, Mr Tsirekas?---Well, it appears to, to be, yes.

\$1,000 was exchanged.---\$1,000, yes.

Where did you get the cash for that?---Travelling cash.

Yeah, but did you get it from this box that was in your house at the beginning of January 2016?---Yeah. Well, it was my, it was my, my money so I, it must have been from my expenses, yes.

30

Is the answer to my question, yes, it came from this box of cash?---Well, it, it was my money, yes.

So we've got \$1,000 from the box of cash exchanged in February 2016. What about other costs on this trip? Was it your practice when you were travelling to use your credit card and things like that to pay for expenses? ---Oh look, I can't recall on this trip of I did.

- 40 Right. But if you exchanged the money to foreign currency, is it likely that you would have used the foreign currency that you exchanged before you left Australia? It seems to be likely?---Before I left Australia?

Yes.---If I had foreign currency.

Well, that record that I showed you shows exchange of currency.---Yes.

Exchange of Australian currency to foreign currency before you left Australia for this trip.---Yeah, yes.

10 So it's likely that you would have spent that foreign currency when you were on the trip, correct?---I, I don't know how much I spent.

But it's likely you would have - - -?---If I had foreign currency, I don't know.

But it's likely if you'd exchanged money to foreign currency you would have spent it on the trip? Whether you spent it all, you would have used that money?---Oh, yeah. I, look, I would have used some of it. I don't know how much I used.

20 What did you do, if you didn't spend the money or all of the money you converted what did you do with it?---I would keep it.

Yeah, but would you keep it in foreign currency?---Some of the times I would, yes.

What currencies do you remember keeping?---Oh, I can't recall. Some, whatever the currency is, Chinese currency.

30 Chinese currency.---Maybe from, yeah, I can't recall all of the currencies that I kept but if it wasn't spent I'd bring it back.

What would you do if you brought it back, the foreign currency? Would you keep that or would you convert it back to Australian currency?---From my, best of my recollection I'd, I'd keep it.

In foreign currency?---Yes.

40 You went on another, the trip after Dubai in February 2016 you went to Shanghai.---What date was that?

Bear with me. You went in April 2016. Do you remember that?---Was that the RMCA delegation when I think I was invited to represent the – if you could show me the details of that it might - - -

There was another, in 2016 another invitation on the RMCA. Is that right?
---I think that may be the one.

April 2016. You went by yourself. Is that right?---Yes.

10 Do you recall exchanging money before you left Australia on that trip?
---No, I don't.

Could the witness be shown volume 5A, page 115.---Right.

So this is 12 April, 2016.---Yes.

It appears that you exchanged a little over \$1,000 Australian for - - -?---Yes.

- - - local currency.---I can see.

20

Now, does this accord with your recollection, Mr Tsirekas?---Look, I can't remember it but it looks like it was that date of exchange but I can't remember.

Did this cash come from the travelling money shoebox?---It would have been my money that I had.

The travelling expenses - - -?---Yes.

30 - - - that you've referred to?---Yes.

Which is located in a box or something like that or in your - - -?---Had a travelling bag (not transcribable)

Travelling bag. So there's another \$1,000 taken from that. Again it's likely if you converted it to foreign currency you would have used that foreign currency while you were overseas.---This trip, as I recall, most of it was paid for because it was a conference so I don't know how much I spent.

40 Yeah, but my question is if you went to the trouble of changing Australian currency to foreign currency, you're likely to spend the foreign currency

while you were overseas. Whether you spent it all or not, you were likely to spend the money while you were there.---Some money but I don't know how much.

You just don't know whether you spent it all or whether you brought some back with you?---Well, I think that trip there most of it was paid because it was a conference that I attended.

10 Yeah, I'm just asking you. You were there for how long?---I don't know.

Well, does four nights or five nights sound about right?---I don't think five nights. I think that was a pretty short trip but I can't recall.

Did you go out and see the nightlife while you were there?---No.

You didn't?---No.

Didn't go to any nightclubs?---Not that I can recall on this trip, no.

20 Might have needed some cash for those expenses of nightclubs.---I don't recall. I can't remember going out on this trip, on this.

Did you meet up with Chun on this trip?---I can't recall.

But you did use to catch up with Chun on trips to Shanghai?---The conference was on the other side of the - - -

You did use to catch up with Chun when you went to Shanghai on trips? ---I'm trying to explain this trip.

30

No, just focus on the question about whether you caught up - - -?---Well, you asked me a question before - - -

You used to catch up with Chun on trips to Shanghai?---I can't remember how many times Mr Chun was there in Shanghai.

Yes, but - - -?---I think I answered that the other day.

40 You caught up with Chun when you went to Shanghai from time to time. ---Yeah, so not on every visit.

You don't know whether this was one of those visits?---I, look, I can't recall. This conference was somewhere in Shanghai. I can't even recall where the hotel was.

You went to Rome in July 2016. Is that right?---Yes.

This is the trip where you went with Ms Crichton?---Yes.

10 This is the trip where your dad gave you, what, you say \$10,000 towards your flights?---Towards a holiday, which I used for the flight, yes.

Where did your dad – so your dad's already given you, in 2015, 41-odd thousand dollars. Where did this \$10,000 come from?---Again, he had the cash at home.

How do you know he had the cash at home?---'Cause he, he gave it to me when I was at, at home, to give it to me, oh, I don't know when, but he gave it to me at home when I visited. I, I didn't ask him - - -

20 Did he give this, did he give you this - - -?--- - - - where he got it from.

Did he give you this \$10,000 in one lump sum?---I, I can't recall.

What do you say to him? You say, "Look, Dad, I want to" - - -?---I can't recall, there might have been two.

- - - "I want to go on a" - - -?---I can't recall.

30 What did you say to him? "Look, Dad, I want to go on a trip to Rome. I want to take my partner Heather. I want to fly business class. Can you give me some cash?" Is that how the conversation unfolded?---No. No.

How does it unfold?---I can't recall. He, he wasn't helping much with the election. He knew that I was keen on going away for a while afterwards. And he helped me with, with the money to go, and I used it to purchase the tickets.

40 THE COMMISSIONER: Mr Tsirekas - - -?---I don't know if there were two amounts or, I don't know.

- - - as at February 2006, your father was quite an elderly man, wasn't he?
Hmm?---Yes, yes.

He lived a frugal lifestyle?---No, Commissioner.

I put it to you again, he lived a fairly frugal lifestyle?---Can you explain
“frugal” to me? Like, for a European it's a different context.

10 You know what the word “frugal” means in the English language, don't
you?---Commissioner - - -

Do you?---Yes, I do.

Right. Now, would you agree with me your elderly father led a frugal
lifestyle?---No, Commissioner.

20 All right. What sort of lifestyle did he lead if it wasn't frugal?---He was
content. He didn't have a mortgage. He liked going out. He liked spending
time with his friends.

Going out where? Going out where? Where did he like going out to? The
club?---Sorry, Commissioner?

The club? He liked going to the club, didn't he?---The clubs and out with
his friends. I didn't really go out with him.

30 But you didn't see him engaging in expenditure which would suggest he
had, that he was spending a lot of money on himself for entertainment or
anything over and above the necessities of life? He wasn't that sort of man,
was he?---Commissioner, I only lived there for a short time.

Yeah. What's the answer to - - -?---And I didn't, I didn't, I didn't live with
him after the period that I stated, so I don't know.

40 So long as you saw him from time to time, when he was an elderly man in
his last years, apart from paying for the necessities of life and having
obviously some years before paid off his mortgage, he wasn't a person who
went round splashing money around the place, was he? He was quite in a
certain respect frugal with his money?---No, I disagree with that.

Mmm?---I disagree, Commissioner. I don't think he was - - -

Well, was he a man who threw his money around?---Well - - -

Do you say that apart from the necessities of life, he would splash his money around buying - - -?---Well - - -

- - - what might be said to be, you know, the luxuries of life? Is that what you're trying to paint a picture of him?---No, but, Commissioner, I'd like to say that he, he was a, a very giving man and he - - -

10

Well, sounds like it on your evidence but - - -?---And he did, he did like going out. I didn't go out with him. He liked spending time with his friends and he liked a bit of gambling and playing the machines. And he, he enjoyed himself - - -

Well, I hope he did but - - -?---Well - - -

- - - I'm talking about his attitude to life and lifestyle, throwing money around and so on. Was he the sort of person who throws money around and had entertainment, parties and, you know, buy flash cars and the luxuries of life or was he not that sort of person?---He was a, a typical immigrant who was very supportive of a family and he would do anything for his son and, and daughter. And he was willing to support me. He understood my situation, I was trying to explain and I was very, you know, how can I say, the, the, the time that I spent with him, we were very close.

20

And you said that he said that he wanted to help you get back on your feet and therefore he was prepared to help fund. Is that right?---Help me get my life back together, yes.

30

Well, I think you've used this expression like that, try to get your life back together - - -?---Yeah, he is, yeah.

- - - but get you on your feet I think was your expression, wasn't it?---Yeah, he, he knew my (not transcribable) yeah, yeah - - -

You said something like that, anyway?---Commissioner, yes.

Okay. So you're saying he's actually sort of sympathising with you and he

wanted to help you financially. Is that right? Is that what you're saying?
---He, he, he understood, he didn't, the, the sympathy was more of a giving
father who wanted to support their son.

I withdraw the word, use the word. He expressed his wish to be generous to
you to help you financially, is that right, to get on your feet again?---To, to
get back, my life together, yes.

Is what I put right?---Yes, Commissioner.

10

Yeah. And you're using money in part that you got from him to go on
international trips in 2016. Is that right?---And, and he understood that.

No, but this is the fact. You were using, you say, money he gave you on
funding your desire to fly to foreign destinations and have holidays
overseas. Is that right?---Correct.

A man on a reverse mortgage on his house, you say, was funding you so you
could have the pleasures of life in international travel. Is that right?---No,
20 Commissioner.

Well, that's what the money you got from him - - -?---That's right.

- - - was being put towards, wasn't it?---That, that's right.

Yeah. But I'm putting to you that how do you explain that funding your
trips overseas is an act of generosity to help you get back on your feet?

---Yeah. Commissioner, he, he knew my state of mind. He knew where my
life was heading. He wanted to see me happy. He encouraged me to find a
30 happier life and he was very supportive. He did say that he wanted to, and
he did, provide me some money, which I put to, paid tickets to go to Rome.
He understood that and he was happy for me to go.

And did you act on the basis you were prepared to take whatever cash he
was going to give you, whether he had to fund it through a mortgage or not
so that you could be happy?---He wanted to see me happy, yes, and try to
get my life back together.

And mortgage the house to make you happy? Is that what you're saying?
40 ---Well, no, Commissioner.

Well, that's what he did - - -?---No - - -

- - - didn't he?---I, I - - -

He did do a reverse mortgage - - -?---Well, I didn't - - -

No, just a moment. He did, did he not in order to raise spending money, enter into a reverse mortgage transaction with a bank or financial institution?---Yeah. And I didn't find out until after his passing.

10

But you're saying he did that, which he obviously did, you have come to see that he did.---Yeah, yeah, yes.

As an act of generosity, to help fund your international travelling, is that what you're saying? That's in effect what you're saying, isn't it?
---Commissioner, yes, and I think I have given the reason why.

MR DARAMS: No, Mr Tsirekas, can I ask that you be shown volume 5A, page 124?

20

THE COMMISSIONER: Just give me the reference again?

MR DARAMS: 5A, page 124.

THE COMMISSIONER: Thank you.

MR DARAMS: You can take it from me, but I can show you if you need me to satisfy you, Mr Tsirekas, that this is the invoice, or the statement of the account for this booking for this trip to Italy in 2016.---Ah hmm.

30

So this records you making a cash payment to Flight Centre on 19 May, 2016 in the sum of \$9,900. Do you see that?---Yes.

That's the cash you say your father gave you?---Yes.

Could I ask that you be shown the next page? Do you recall exchanging about 2,500 Australian dollars before you left to go overseas on this trip?
---Look, I can't recall but it does state it there, yes.

40 Did this cash from the travelling expense stash?---That I had, yeah, yes.

So here we are at July 2016. You don't have that much in the, not much money in the cash storage or at your house, somewhere between 2,000 and 5,000, and you've used 4,500 of that at this stage in July 2016. Would you accept that?---No. Because I can't recall exactly how much was there.

But you said somewhere between 2,000 and 5,000.---No, I - - -

When you met with Mr Berry and Mr Fox that's what you told them.---And that was to my best of recollection when asked but I - - -

10

You don't have a better recollection now though, do you?---I, I, I can't remember how much was there.

But you don't have a better recollection than the recollection you gave, or the evidence you gave on 9 September, 2020?---That was 2020, 2016, four years before. I can't recall how much was there. I cannot recall. I, I gave the best answer I could on that date but I can't recall.

20 But using the best answer you gave on that date, it was somewhere between two and \$5,000?---Look, I can't recall.

No, no. Just using - - -?---I can't recall.

Just using the best answer you gave, the evidence you've given here as to where these cash amounts that are being converted at airports before you go, that adds up to \$4,500, correct?---Yes, yes.

All of that was, Mr Tsirekas, all of that cash that was converted came from the travelling expenses that you kept at home?---Yes, yes.

30

Again, it's likely that you spent the foreign currency, given that you converted it in Australia and took it out of the country, correct?---No.

It's likely that you would have spent some of it while you were overseas in Italy because the alternative is this, Mr Tsirekas, what, you converted Australian currency, then you take it overseas and you bring it back home with you. That doesn't make much sense, does it?---Yes, it does.

40 Sorry, just let me run through this again. You're saying it makes sense for you to convert Australian currency in Australia to foreign currency, travel to the foreign land where that currency could be used, not spend any of it and

bring it back to Australia. That's what makes sense to you?---That's right. If you're not spending it, you bring it back.

But what I suggested to you, it was likely, you were going a way for a considerable period of time, that's right, wasn't it, Mr Tsirekas?---I can't recall that.

THE COMMISSIONER: How long were you in Italy for?---I can't recall, Commissioner.

10

Just give us a sense of, you know, are we talking about days, months or years?---Two to three weeks.

MR DARAMS: Well, let's just be more, let's be clear on this. Can I show you page 120? You were leaving Australia, your flight was leaving Australia on 6 July, or at that stage.---Yeah.

When you booked it, it was leaving on 6 July. And it had the returning on 6 August, 2016. So you were going to be away for about a month.---Yeah.

20

Now, that's - - -?---Yeah, yeah, can't remember but - - -

- - - that's at the time that you made the booking and made the payment. ---Yeah, so, yeah, I can't remember but, yeah, that's when I made the booking, but I can't recall how, how long I stayed there for.

Well, did you come back sooner, did you?---I can't recall.

Is it likely you came back sooner?---I can't recall.

30

Well, you just proffered you don't know how long you stayed there. But ordinarily when people book a flight, they generally intend to stay overseas for the duration of that booking, don't they? That's just common sense.---I can't recall how long I was there for.

40

So let's say you booked this and you were planning to go for about a month. Converting 2,500 Australian dollars to foreign currency for a month, that wouldn't be unusual, would it, Mr Tsirekas? You wouldn't say that would be unusual?---Yes, it would, depending on your itinerary, where you're staying, who you're staying with, is it friends. I can't recall how much was

spent on that trip and how much I brought home, if you're trying to ask me that.

Well, you don't even know whether you brought any home.---Well, I can't recall.

It's just as likely you spent it all.---Look, I can't recall. And you did ask the question if I had any left over, yes, of course I would have brought it home.

10 You went to Shanghai again in August 2016. You remember that, don't you?---As a private citizen, yes.

When you said "as a private citizen", what were you intending to convey by that comment?---Well, again, I was not on, I had no longer a public office position.

So what's the relevance of that?---Just to put it in a time sequence.

20 But we know about the timing you were on council. And can I just suggest this, we know you come back to be the mayor in late 2017, that's right?---I got re-elected, yes.

Yep, okay. So - - -?---But at that stage I was a public figure, a public person.

I understand you were a, you say private citizen?---Private citizen, yes.

30 Are you prefacing that because I'm going to ask you some questions about who you met up with when you were in Shanghai? Is that why you're doing that?---I don't know what questions you're going to ask me.

Yeah, but there must be a reason why you want to preface that you were a private citizen at this time. What's the reason?---No. I, I'd like to put it in some time sequence. So we know that - - -

Let's cut to the chase.--- - - - this period that I was not a - - -

Sure.--- - - - a mayor or a public office figure.

So then why catch up with Belinda Li, Michael Gu, others associated with I-Prosperty when you're in Shanghai on this trip?---Which trip are you talking about?

You know which trip we're talking about, Mr Tsirekas.---No, you haven't given me a date.

The August 2016 trip, the one you wanted to say that you were a private citizen.---Yep, yes.

10

So why do you catch up with Mr Gu and Ms Li and you enjoy a meal with them? Why do you do that?---There's no real reason. And again, this trip, if it's the August trip, I was invited to attend by Mr Joseph Chidiac.

You didn't pay for any of your expenses on this trip, did you?---I don't know who paid the expenses. I thought Joseph Chidiac was organising everything.

20 So is this another trip where you've accepted travel benefits that you understood or believed were being met by Mr Chidiac, is that what you're saying?---Yes. He invited me and I think it was another wedding. He said, "Come along. I would like you to come," and he wanted me to come along and I said, "Look, I'll attend with you."

Were you going as his date to the wedding or something like that, are you? ---I, I, look, I don't know whose wedding it was but he said that there was a wedding. He had an invitation, I think he got me one. I'm really sure but, and we went to China together on Mr Chidiac's invitation.

30 THE COMMISSIONER: Did you go to the wedding reception in that case with Mr Chidiac?---Pardon, Commissioner?

Did you go to the wedding reception?---No, not the wedding reception, no.

You didn't.---No. I think, again, we went just to the banquet.

Well, okay, perhaps I've used the wrong term.---They don't have receptions, they have banquets. It was just - - -

40 So Mr Chidiac went with you to the banquet?---Yes, Commissioner.

Whose wedding was it?---I, I can't, I wouldn't, wouldn't know. I don't know.

I gather from what you've said Mr Chidiac was the organiser of this trip to Shanghai, is that right?---He invited me to attend with him, yes.

Well, did you understand he was organising it or - - -?---Well, as far as I know he, he was organising it. I got invited so I attended.

- 10 So he organised you, as it were, at least, and organised his own arrangement to go to the - - -?---Organised me, yes.

The two of you.---Yes.

And when you met with Belinda Li, was that a meeting with you and Mr Chidiac as well as Belinda Li?---Commissioner, I don't know if you can call it a meeting of such. We, we met but I, I, there was no official organised, organised meetings.

- 20 I think there was an occasion, that I think Counsel put to you, where you had a meal with them, that is Belinda Li and Michael Gu.---Yeah. Look, I can't recall, Commissioner.

I thought you accept that, that you said there was an occasion where you met them, that is Belinda Li and Michael Gu and that was an occasion when you had a meal with them. Is that right?---Look. I, I can't recall. If, if there's evidence to say there was, then, but I can't recall offhand, no.

- 30 I though you said it a moment ago. I'm relying on what you said.---Yeah. I'm reply on what - - -

Counsel put to you, I think, that you met up with – I'm just trying to get it right, that's all.---Yeah, certainly.

That you met up with Belinda Li and Michael Gu on this trip you were talking about in August 2016 to Shanghai and you met up with them over a meal, as I understand it. Is that right?---Yeah, look, it, it, I can't remember. If you can show me evidence that it did occur, but I, I can't remember.

- 40 And that was, whether you call it a meeting or a catch-up, whatever you call it, it was a catch-up you and Mr Chidiac had with those two people in

Shanghai, is that right?---I'm sorry, Commissioner, what was the question?
If we had a meeting?

Whether you call it a catch-up or a meeting or whether you call it a meeting
over meal, whatever description is applicable, the people who were present
there were yourself, Mr Chidiac, Belinda Li and Michael Gu. Is that right?
---I can't remember, Commissioner.

10 I thought you had already said.---No. I think I was trying to ask if he can
show me evidence that we did meet.

No. Counsel didn't say – Counsel put to you, let's go back over it again. I
don't like losing time but looks like we're going to have to. It was put to
you that in August 2016 you went to Shanghai again and this time, you
emphasise, as a private citizen. Am I right so far?---Yes. Yes,
Commissioner.

20 Right. It was put to you that on that occasion you met up with Belinda Li
and Michael Gu. Is that right?---There may have been, I can't remember.

But you just said you did. You accepted what Counsel put to you.---I, I - - -

Just a moment ago.

MR LEGGAT: Chief Commissioner, my note is the answer was "I can't
recall."

THE WITNESS: Yeah, I don't, yeah.

30 THE COMMISSIONER: Oh, is that right?---Yeah, I think so.

MR DARAMS: I thought you accepted you did, but anyway.---No.

THE COMMISSIONER: The transcript will speak for itself. Anyway, you
say you don't recall, is that right?---No. There, there, there may have been
but I can't recall. If there's evidence to say that we did, please refresh my
memory.

40 And you don't know whether it was just you and you alone or with Chidiac,
that you had such meeting if you did have one?---I, I, I cannot remember.

Anyway, did he, Mr Chidiac, explain why he was organising this trip for you?---He invited me to come along with him. He, I think he, to my best recollection, told me there was a wedding and he was trying to get me an invitation, and I went with Mr Chidiac on his invitation.

So the wedding didn't mean anything to you, obviously. It wasn't the inducement for you to go to Shanghai. You just thought, oh, well, if this is a free trip, social sort of holiday, well, I'll be in it. Is that the scenario?
---During that period of time I was willing to go to an opening of an
10 envelope. But I was, look, Commissioner, he invited me, I thought he was arranging it, and I attended.

MR DARAMS: When you say you thought he was arranging it, you thought and knew that he was paying – this is your understanding – he was paying for all expenses associated with it, is that right?---That was my understanding.

Isn't it the case that Ms Li made or paid expenses of this trip, Ms Belinda Li?---I don't know anything about that.
20

Could the witness be shown volume 1.2, page 86? This is your invitation to this wedding of Mr G's. Did Mr Chidiac provide you a copy of your invitation?---I, I don't, I don't remember. He was going to get me the invitation. I don't remember if I did receive it or not.

But you do remember going to the wedding or the banquet after the wedding?---There was a banquet after the wedding.

You must have had a conversation to understand that Mr G was associated with I-Prosperity.---No.
30

Is that your honest – well, let me ask you this question. You say here on your oath that you didn't know, either before or while you were in Shanghai, that Mr G was associated with I-Prosperity?---That's right.

THE COMMISSIONER: Did you know who Mr G was?---No.

And his bride, did you know her?---No.

40 Well, how come, if you didn't know them, you had nothing to do with them before this meeting, is that right?---That's right.

This trip to Shanghai.---That's right.

Well, it's a little surprising, isn't it, that here's a formal wedding invitation addressed to you in name to be the guests of two people you've never met? That's a bit strange, isn't it?---No.

It's not?---No. Well, I, I think it's their custom, Chief Commissioner.

10 What, to ask strangers?---It is an invitation that Joseph Chidiac, I said I would not go unless he had an invitation, 'cause he told me he had (not transcribable) wedding, so he, he got an invitation for me.

MR DARAMS: Mr Tsirekas, can I just suggest to you that the evidence or suggestion by you that you would never have had a conversation with Mr Chidiac where he's discussed the association or who Mr G was, it seems entirely improbable and implausible that you wouldn't have that discussion with Mr Chidiac. Are you saying you just didn't?---Well, I, I disagree with that because I didn't know who, who this was.

20

No, no, no. No, no. I'm suggesting to you it seems highly improbable that you, as an intelligent man, you don't have a conversation with Mr Chidiac to say, "We're going to this wedding, thanks for the invitation, I don't know who they are but what's their back story? Who are they?"---I didn't ask him.

You didn't ask?---No.

30 That seems highly improbable and unlikely, Mr Tsirekas.---Well, I didn't ask. He invited me along.

What if these people - - -?---I wasn't working at that stage and I had time on my hand and I was willing to go.

These could be, these individuals, for all you know they could be criminals or anything like that. And you were just, what, prepared to go and be, prepared to attend a wedding of some person like that? Is that - it must be the case, Mr Tsirekas.---No, it's not.

40 Why not?---I've just answered the question. I didn't know who this couple were associated with. I was invited to go along on a trip, and Mr Chidiac

arranged the invitation. I did not know them and I may not have even met them at the wedding, I don't know.

That's why I'm suggesting to you that you would have at least had a conversation with Mr Chidiac to get some information about who these people were, why Mr Chidiac was going, why you were going with Mr Chidiac. That seems like the most plausible and probable set of circumstances, Mr Tsirekas?---No, I don't accept that.

- 10 What's improbable and implausible is that you had no conversation with Mr Chidiac about those matters. That's the improbability part, I'm suggesting to you?---No, I, I disagree with that.

Anyway, you didn't pay for your visa for this trip?---I can't recall. I can't recall how we organise it.

You know Mr Chidiac arranged your visa for you. That's right?---He was arranging the trip, so - - -

- 20 Which included your visa - - -?--- - - - I don't know what he was arranging - - -

You had to take a photo of your passport and give it to Mr Chidiac?---That's normally what happens when you go for a visa, yes.

You did do that?---Well, to get a visa, you would have had to do that.

- 30 I think the answer is you never paid any of these costs associated with the trip, so therefore you didn't pay the visa costs. Correct?---Correct. That's, that's what I recall. I can't remember paying for it.

Could the witness be shown volume 6.1.1 page 96? Now, Mr Tsirekas, you had some issues recollecting things you did on this trip but does this assist you, this photo here, this inside of a club?---Yeah, I, I don't know where that is. I couldn't tell you.

No, but does the scene set in this picture, does that assist you with anything in your mind, your recollection?---Not, not really.

- 40 Could you be shown page 99? What about here, Mr Tsirekas? Does this assist you?---I, I don't know too many people except - - -

No, no, but does this assist you now?---No.

Looking at this photo, you see people and you see - - -?---Well - - -

- - - some sort of, well, it's probably like a smoking instrument, implement?---Yeah. Well - - -

10 We can see your legs and we can see your arm, can't we, on the right of the photo?---Yeah, that could be me.

Yeah, well, that looks like your shoes, looks like your shirt that you wear, isn't it?---Yeah.

So does this assist you with your recollection now? You wanted some evidence and so I'm giving you some.---Yeah.

20 And I'm asking you whether it helps you now?---Well, this I think was explained to you was the afterparty of one of the weddings.

Well, these photos were taken in August 2016 so - - -?---Yeah, well, it could be the, yeah, afterparty.

So this is another afterparty of another wedding?---It, it could be. I can't recall, yeah, but it, it looks like it.

THE COMMISSIONER: Well, the wedding said dress was formal.---Yeah.

30 And the people in the photograph are not dressed in formal.---Yeah. Yeah.

So it looks like it is an afterparty, as you say.---Yeah.

Did you go dressed formal to the wedding - - -?---I don't - - -

- - - reception or whatever you want to call it?---Not really, no. I didn't have any formal gear with me, no.

40 MR DARAMS: If we show Mr Tsirekas the next page, please? It looks like you're wearing the shirt, so maybe this was earlier in the day or the next day?---Mmm.

That's you, though, isn't it?---Yeah.

Mr Gu?---It looks like Mr Gu.

Yeah. So does this assist you with your recollection now?---I'm, not really. I'm, I'm half asleep there. I think I must have had a big night but I can't recall or remember these occasions but this photo shows that I was there with Mr Gu at the table.

10 THE COMMISSIONER: What were the premises or the venue? Do you recognise that as the hotel you stayed at?---It, it appears to be, Commissioner.

Right.

MR DARAMS: Why are you meeting Mr Gu?---No real reason - - -

Well, no. Just tell me the reason, then?---No, there's no real reason. There was no, as I said, meetings organised.

20

Well, don't worry about whether it was organised or not. You're at a table with Mr Gu?---Yeah.

Mr Gu, who you know at this stage, is associated, founder, owner, however you want to describe it, of I-Prosperity. Correct?---He had a role in I-Prosperity, and, again, I didn't know, like others, what his position was.

30 Oh, Mr Tsirekas, you knew Mr Gu's role with I-Prosperity from at least October 2015, when he sat down with you in the Lid & Jar. You know this because you've had conversations up to this point in time, in August, with Mr Chidiac.---No.

You also know this because of the times you've met with Ms Li and Mr Furlong about I-Prosperity's proposal. So you know definitely who Mr Gu is in August 2016. That is correct, isn't it?---No.

That answer you've just given there, that's a lie, isn't it?---No.

40 Could the witness be shown page 98. Is that Ms Li on the left of Mr Chidiac?---I don't know.

THE COMMISSIONER: Who's the lady there?---I don't know,
Commissioner.

MR DARAMS: Are you sure about that?

THE COMMISSIONER: Is she part of the group or not?---Well, I don't
know. Could well be.

MR DARAMS: You don't believe it's Ms Li?

10

THE COMMISSIONER: You may have said - - -?---Well, it looks a bit like
her. It could be. But - - -

MR DARAMS: You know what Ms Li looks like because you've caught up
with her and met her on numerous occasions since 2015, Mr Tsirekas.---I'm
just trying to answer the best I can. It looks like Ms Belinda Li.

Another person who you caught up with in August 2016 on this trip to
Shanghai.---Who's that?

20

Ms Li. Ms Li.---If she was in Shanghai.

You knew at this stage, in August 2016, that Ms Li was associated with I-
Prosperity?---At, at a level, yes, but I didn't know her position or what she
did, but she was part of the team.

THE COMMISSIONER: You knew by August '16, didn't you, that Mr
Chidiac was doing work for I-Prosperity in relation to – well, firstly, doing
work for I-Prosperity?---No, no, I didn't.

30

That he was doing work for I-Prosperity in relation to a proposed
development in Rhodes?---No, I didn't.

You're saying on your oath, are you, that as at August 2016 you had no idea
that Mr Chidiac was doing some work or rendering some services for I-
Prosperity?---Again, Commissioner, no. I didn't know what he was doing
as a, on any level assisting I-Prosperity. I did not know.

40 Okay. Well, did the day come when you did come to appreciate that he was
doing work for I-Prosperity or rendering services for I-Prosperity?---Yes,
Commissioner.

When?---At, at these hearings and finding out - - -

I see.--- - - - the, the level of contractual professional work that he was providing.

So let's get this straight. Prior to the commencement of this public inquiry, this investigation, you had no idea that Mr Chidiac was or had been in the past associated with I-Prosperity in any way in terms of him doing some
10 work for them or providing some services for them, that is for I-Prosperity?
---Can I answer that?

I'm asking you.---I, I did, I knew he was providing some level of service.

Oh, right, okay.---He was assisting them with meetings and doing whatever. I don't know the background to their engagement or exactly what level of services or contractual professional services he was providing.

So you knew that Mr Chidiac was doing some work for I-Prosperity in
20 terms, at least, of organising meetings and some other services?---At, at a very minimal level, yes.

At a minimal level, yes.---Well, as he was doing with others as well.

What sort of other minimal services do you know he was working, providing to I-Prosperity?---Apart from what I've just explained, trying to organise meetings, I think there was a relationship with Billbergia and so forth. But I, I didn't know those relationships until I found out here at these
30 hearings again. So I was really not sure what services he was providing, what level and what engagement, contractual or whatever they were engaged in.

So I just want to be clear about it. So you did come to understand he had been, or was, rendering services and other work at a low level before or after this public inquiry commenced?---Commissioner, I've learnt a lot more from the inquiry at that level.

I'm sure you have. I'm sure you have, but - - -?---But prior to this - - -

40 No, no. Stop there, stop there. Without any prefatory statements, just tell me, it's a question about timing, are you saying that you came to understand

that Mr Chidiac was rendering some services and doing some work at a low level, you learnt that before or after this public inquiry commenced?---After this inquiry at that level, yes.

This public inquiry?---Yes.

This public inquiry?---Yes.

10 So prior to day one of this public inquiry, you had no idea that Mr Chidiac had been rendering any services or doing work for I-Prosperity, is that right?---Correct.

You're certain about that, are you?---Correct. Yes.

And you say that, hand-on-heart?---Yes, yes.

On your oath?---Yes.

20 Thank you.

MR DARAMS: Now, Mr Tsirekas, one of the reasons that you and Mr Chidiac were going to Shanghai in the period from 2015 to 2019 was to meet up, catch up, with Harry Huang or Belinda Li. That's right, isn't it? ---No.

Of course that's one of the reasons why you were going to China.---No.

30 I want to play you something, Mr Tsirekas, and then I'm going to ask you some questions about it. Can we play session, or an extract of session, 20336?

AUDIO RECORDING PLAYED

[3.23pm]

MR DARAMS: Okay. Now, Mr Tsirekas, I just want to ask you, obviously that's a conversation between you and Mr Chidiac, yes?---Ah hmm. Yes.

40 On 23 March, 2019.---Yes.

So I just want to ask you some questions about the things you say to Mr Chidiac. Can you see in the third entry down you say, “Um, when, when are we going to China? Have you seen Belinda or Harry?” Now, Belinda is Belinda Li?---I presume so.

No, don’t presume so, you know who you’re talking about. Please don’t play those games.---Well, I’m trying to explain - - -

No, no. I’m telling you it’s Belinda Li.---Well, it could be.

10

THE COMMISSIONER: Mr Tsirekas, I have assess the credibility of your evidence like I do all witnesses and have regard, in some cases, to the probability as to what the right answer is. We might just go back over that again. Just put the question again.

MR DARAMS: Yes. The reference to “Belinda” is a reference to Belinda Li?---To the best of my recollection, it, it most probably is, yes.

20 The reference to “Harry” is Harry Huang?---It, by the best of my recollection, probably is, yes.

So you say to Mr Chidiac - - -?---Yeah.

- - - “When we going to China? Have you seen Belinda or Harry?” That’s right?---Yes.

30 So what you’re suggesting or asking Mr Chidiac is inquiring about going to China again and at least one of the purposes of going to China again is to see or meet with Belinda Li or Harry Huang. That’s right?---The, the context is that we were going to China I think around that period, I think. I can’t recall.

Well, why are you asking Mr Chidiac, when you say “When are we going to China?” why do you then say to him, “Have you seen Belinda or Harry?” What’s the relevance of associating Belinda Li and Harry Huang, Mr Tsirekas?---I, I, I can’t remember the context in that sentence. What it does refer to is are we going to China and that may also, you know, reflect on the people that we know there, Belinda and Harry or both of them. I can’t recall why I said that. This is a couple of years ago, so I can’t recall.

40

Mr Chidiac says, “Mate, I haven’t fucking spoken to any of them”?---Mmm.

Then you respond, "They've dropped us"?---Mmm.

Now, when you say "they" you're referring to Ms Li and Mr Huang?---It appears to be.

No. I'm just asking you. You're the person who says in response to Mr Chidiac when he tells you he hasn't spoken to them, your response is, "They've dropped us". The "us" is a reference to you and Mr Chidiac?

10 ---Correct.

You and Mr Chidiac, the team. Correct?---I, I, no, you're assuming that, but - - -

Well, why do you say, "They've dropped us"? What were you referring to, Mr Tsirekas?---I, I can't recall. It may have been - - -

No, you can recall - - -?---Well, I can't recall. It, it's a throwaway.

20 They're no longer funding you and Mr Chidiac, are they? Is that what's happened? They've dropped you?---No.

Dropped you from their team?---No.

Well, then why do you say, "They've dropped us"?---Well, I, I can't recall what, what that meant.

Is it you can recall and you just don't want to disclose it?---No, I, no, I can't, honestly.

30

Doesn't this suggest, though, that in March 2019, there is some relationship between you and Mr Chidiac on the one hand and Belinda and Harry on the other hand, the relationship obviously being in relation to the I-Prosperity proposal?---Look - - -

You and Mr Chidiac are part of the team, aren't you? Mr Chidiac is the person between you and I-Prosperity. Mr Chidiac's the person who's reaching out to you as the mayor?---I, I think, if I can recall the date that there were a lot of discussions at, at council to do with their submissions and also the VPA that we were very interested in. And it was a period of time where things were going nowhere. And it, it had stalled because, whatever

40

reason. And I was very keen to see the progression of, of that. So it may have well been that what I'm referring to there is the, the, the whole application was not moving and it looks like they've, they've just dropped us, so it is around that period I understand that there, there were some issues with their plan and their VPA submissions.

THE COMMISSIONER: You see it suggests that you wanted to go to China because you say "when" not if, "When we're going to China? Have you seen Belinda or Harry?" That's obviously connected?---Sure.

10

Depending upon the situation with Belinda and Harry, it might have some bearing upon whether you do in fact get a trip to China. That's the way I read it. Is that a reasonable interpretation?---Mmm.

Sorry? Are you saying yes?---Oh, sorry. Yes.

You said - - -?---Commissioner, if I can, I think it does refer to issues that they were having around then and I - - -

20 Yeah, so the contingency was going to China had some bearing upon whether Belinda and Harry were going to be party to there being the occasion for you and Chidiac to go to China, is that right?---No, Commissioner.

No? Why not? Well, the subject is going to China. It said, "When we're going to China, have you seen Belinda and Harry?" So in the same breath there's some connection there between whether you go to China and Belinda and Harry, isn't there?---Commissioner, the way I read it is "When are we going to China?" and then "Have you seen Belinda and Harry?"

30 And if you read further - - -

No, don't - yeah, go on.---Read further, it appears that at that stage they were having problems, and it does refer to Mr Chidiac saying, you know, people are struggling.

I'm going to come to that, yes.---Yep, yep.

40 But just looking at that one phrase, "When we're going to China, have you seen Belinda and Harry?" "Belinda and Harry" has some connection, doesn't it, with you going to China?---No, Commissioner.

Well, it's almost just one short phrase. It seems that the two concepts – going to China and Belinda and Harry – are somehow interrelated. Is that, is that - - -?---No, Commissioner.

- - - is that a fair construction?---No.

Well, is there any connection between the two? That is, the two being going to China and Belinda and Harry?---No, Commissioner.

10 None at all?---No.

I see. All right. And it then becomes clear, doesn't it, that then you say, "They've dropped us." The "us" refers to, does it, I-Prosperity/Chidiac and you?---No, it could well be that "they've dropped us" as referring to council matters that were before us.

No, no, no. After having raised the question of going to China and you're asking, "Have you seen them?" and he says, "Mate, I haven't fucking spoken to any of them." And you say, "They've dropped us." What you're
20 saying is Harry and Belinda, at least, they're dropping, ceasing any ongoing connection or relationship with you and Chidiac.---No, Commissioner.

That's the way I read it. Why am I wrong?---Commissioner - - -

Explain why that's not the right interpretation.---As you, as you go down the page, you can see that there, there were issues with I-Prosperity at that time. At that time the matter before council was stalled and we were trying to make sure it was kept afloat as to the VPA and the commitment that they were going to make to the community with their submissions.

30

You see, I put that that's absolutely incorrect. That when you read on, what Chidiac was saying, well, in effect there could be a reason not having, not dropping us, but these are hard times, and he says that "Too busy training to stay," and you could almost insert the word "afloat", but anyway. He didn't say it but – and then you said, "Busy." He does say "staying afloat" then. And he's saying, "A lot of people are struggling, mate." And he's talking here, it seems to me, about the economic times. This is – and then he says later "Financially out there, out there in the world." He said, you know, they're not necessarily dropping us, they weren't, then they might be
40 suffering the current adversities that others are suffering. Now, that's my

interpretation. Now, is that a reasonable interpretation, in your view? Is that the right one?---No, Commissioner.

Why isn't it right? Tell me.---As I read it, I would say to you that the reference there, "They've dropped us," is they've dropped the application.

I see.---And that he's saying below that, yeah, they can't stay afloat, people are struggling financially out there. At that stage we were trying to see if things could be tied up so the submissions could be finalised. I understand
10 that they were financially struggling for whatever reason.

I know you keep trying to construct something to do with the VPA and so on but come back to my question, which had nothing to do with that. I was saying that an interpretation to be put on the second-half of the conversation there, is, as I said, Chidiac saying, "Look, you know," in effect, "they're not necessarily dropping us, they're just too busy to stay afloat, they're busy. A lot of people are struggling out there, financially out there." What he's trying to reassure you is, look, there may be a reason that they haven't sort of followed up on the China trip and the reason is, you know, they're
20 probably doing it tough like a lot of people. Now, my question for the second time, I'm putting to you that's the interpretation to apply to that segment of the conversation. First question, do you agree that that's a reasonable interpretation?---No, Commissioner.

Secondly, what interpretation do you place on it, that second part of the segment?---Sorry, what was the last part, did you say note the second - - -

Well, when he's talking about the hardship factor, people doing it tough. ---From my understanding and recollection - - -

30

No, don't, no, no, no. Stop there.---I, you know, I, my interpretation - - -

No, no. No, no, no. Wait. Stop, stop, stop.---Sorry.

I'm asking you to interpret something, not talking about what's going on you there. Just what he said. I put a construction on it and I'm inviting you to say is that a reasonable construction or correct construction and you say, no, it's not. I say, okay, well, how do you interpret those words? There's about 10 lines there.---Mmm. Commissioner, thinking back at that stage, it
40 was the issue with trying to get things moving and they were stalling it and we weren't getting anywhere.

Yes, you gave that one before, but - - -?---Yes, that's - - -

- - - are you seriously saying that the words I have asked you to place your interpretation on is what you are now saying?---Yes, Commissioner, to my -
- -

10 And there's nothing there that indicates that he, Chidiac, was at all addressing matters back in Sydney, Rhodes, VPAs, applications for planning proposals at all? That's what I'm putting to you, that what you're endeavouring to put forward, having rejected my interpretation, is just an absolutely nonsense, with due respect to you. Is there anything else you want to say about the interpretation to be placed upon that?---No, Commissioner.

No.

MR DARAMS: Mr Tsirekas, the fact is that in February 2019 council had voted in favour of referring the I-Prosperity to Gateway Determination.
20 ---Yeah.

So they hadn't dropped it in March 2019 and in fact you voted in favour of that council resolution in February 2019 and you didn't declare any interest.---No.

Remember that?---Well, I can't recall but if, if I did, yes.

30 THE COMMISSIONER: Well, that puts a totally different complexion on things, if it be true, doesn't it?---Well, well, and again, Commissioner - - -

No, no, no. Answer my question. If what Counsel just put to you were the facts, then that puts an entirely different complexion on how you interpret that conversation. Do you agree?---No, I don't agree.

You don't agree, no.---No. Because I, I, I - - -

40 MR DARAMS: Perhaps if, Chief Commissioner, just to follow up for fairness, if I could ask that the witness be shown page 11 of that transcript of the conversation which we - sorry - page 12 that we were just on. So if we go to the next page. I'll just draw your attention, just because the Chief Commissioner was putting a construction of the conversation which, if you

look at the first part of the conversation between you and Mr Chidiac on that page, seems to support the construction being put forward by the Chief Commissioner. Would you agree with that? So what Mr Chidiac is talking about are the cash-flow issues, or potential cash-flow issues of I-Prosperity. Do you see that?---Yeah, yeah, yes, I do.

10 Which you tell him you understand.---That was my comment back but in, in, in, not understanding the, you know, the, the way the conversation was, I was trying to ring him to come to a function and he, and we started talking about this. So it's just going.

Yeah, but you're the one who asked about China and you're the one who, in relation to China, introduced Harry and Belinda. You're the one who said "They dropped us," being a reference to you and Mr Chidiac, and the reference to "they" being Belinda and Harry and I-Prosperity. Because isn't this the case, Mr Tsirekas, you were worried at this stage that, 'cause Mr Chidiac hadn't heard, that I-Prosperity was turning off the tap in relation to travel to China and benefits for you and benefits for Mr Chidiac?---No, I don't accept that.

20 That's what you were worried about.---No.

You were worried that they'd drop that for you.---No, I don't accept that.

You'd had these benefits extended to you over this period of time from 2015 to 2019 and you were happy to accept those benefits from I-Prosperity, that's right?---I don't accept that.

30 You were happy to accept those benefits from Mr Chidiac, which you knew you were getting from Mr Chidiac because of the relationship he had with I-Prosperity, you understood all of that?---No, no, I don't accept that.

You knew all of that from the conversations you were having with Mr Chidiac, your very good mate, Mr Chidiac, that's right?---No, I don't accept that.

40 You knew his relationship with I-Prosperity. You knew that they were paying him significant amounts of money and you were benefiting from all of that.---No, I don't accept that.

And Mr Chidiac was using your relationship, that is the relationship between you and he, for his benefit in relation to his services he was providing to I-Prosperty. That's correct?---No, I don't accept that.

You knew all of these things and you were concerned in March 2019 that in effect the tap was going to be turned off. You were worried that they'd dropped you and Mr Chidiac.---No, I don't accept that.

Now can I just ask you about something. Go to volume 11, please, page 43.
10 You completed or prepared this document, didn't you, or compiled it for want of a better description, is that right?---Yes. At a very early stage of – yes, yes.

You've identified a large number of overseas trips you took in 2014, '15, '16, '17, '18 and '19, is that right?---Yes.

Just look at 2016. There are two trips that kind of stand out as missing from this, Mr Tsirekas.---Mmm.

20 Do you see? Do you know which ones stand out as missing?---Yes, I do.

Yeah, which ones?---The August and January Chinese trips.

Yeah. The ones that you didn't pay any travel expenses to, in relation to at the time. Is that right?---No, I did pay 2016.

Which one? We're talking about 2016.---Sorry?

Which one?---Well, this is a very – can I just explain? This is a very early
30 draft at the very beginning of my research and discovery of my travels. And I was compiling this information, and as it went further I found more information. There's no real reason why they were off there 'cause I thought I had them all in correct order, but I didn't. So I think as these hearings and (not transcribable) and so forth, I built on the information and provided that, those details.

See, the funny thing, though, about that explanation, Mr Tsirekas, is that the
trips in January and August 2016 were trips where you were invited and
attended Chinese weddings. Why would you forget those but remember
40 other trips to China, for example, your Dongtai friendship city visits? Can you offer an explanation for that?---No, because we've already discussed

those trips in January and August, so I wasn't hiding anything. This was a very early draft, and the Chinese visits are very hard to understand, and I was compiling to, to read off your passport. So in time that, the information was provided.

You're not - - -?---I wasn't trying to hide.

You didn't deliberately - - -?---No.

10 - - - withhold these two trips - - -?---No.

- - - on the hope that they wouldn't be discovered?---No.

Okay.

THE COMMISSIONER: But you wouldn't have forgotten about the January '16 trip to China with, you know, wedding and trips - - -?---I think, Commissioner - - -

20 - - - and so on.---Sorry.

It just seemed to me that it was an unusual feature of your travels. Here, you're being invited to a Chinese wedding. It was a grand event. You appear to have enjoyed yourself and taken on, you know, a trip around China a couple of days there. Why wouldn't you remember that one?---No real reason, Commissioner. At, at that stage when I was asked, and I think I did this very early on in, you know, and there's no real reason why they were left off. And, again, we've been discussing it here, so they weren't, you know, the, the, my passport was provided and they were located.

30 There's no real reason.

When was this list prepared?---I, I don't know the date but it would have been 2020 or something, 2020?

About 2020. Is that what you think?---I, I, to the best of my recollection, yes. And there, and can I just explain, too, there's, there was some confusion with the October Chinese trip and the January trip. And I think one trip, like, the, my visa got, wasn't correct and we had to comply. So there was a few, there's no real reason why they were left off.

40

MR DARAMS: Well, that was the August trip with you and Mr Chidiac. You got to the airport and there was an issue with your visa. Do you remember that?---It was one of those trips.

Yeah. And so Mr Chidiac had to call Ms Li and - - -?---Yeah.

- - - get the assistance of whoever was at Immigration. Remember all that happening? That was - - -?---Yeah. It, I, yeah. There was one trip there where we were held up.

10

Well, you were held up and you were with Mr Chidiac and you know that he called Ms Li, don't you?---Yeah, well, I, yeah, I didn't know who he called.

Ms Li sorted it all out for you?---Well, I didn't know who he called but it was sorted out. I thought he spoke to the people behind the counter, really.

Well, Mr Chidiac doesn't speak Chinese, though, does he?---No, no, but there's people there that he spoke to to try to assist.

20

THE COMMISSIONER: Did Ms Li tell you she'd spoken to, that he'd spoken to Belinda Li and she's sorted it?---I, I, I don't know who he spoke to.

Didn't tell you?---No. I was too worried about trying to find a trip, flight back home.

MR DARAMS: Now, in October, you went to the United States with Mr Chidiac. Is that right?---Yes.

30

This is a Wests Tigers trip?

THE COMMISSIONER: So what year are we talking about?

MR DARAMS: 2016, sorry. So this is a Wests Tigers trip?---Yes.

You went on these trips every year, is it, or on multiple years about the same time. Is that right?---I think there was about three occasions, I think, that I can recall.

40

They're quite expensive, those trips, aren't they?---Yes.

In excess of \$20,000-odd?---Yes.

You paid for this trip from your own funds, didn't you, the October 2016 trip?---Yes.

You didn't get a loan from anyone or anything like that?---No. No, not that, no.

10 You then you go to Abu Dhabi and Lebanon with Mr Chidiac shortly after that trip. Is that right?---I don't think we went to Abu Dhabi but it was Lebanon.

Well, Lebanon?---Lebanon, yes.

Now, Mr Chidiac paid for some or all of your expenses on this trip. That's right?---He paid for that trip, yes.

20 When you say "he paid for that trip" he paid your airline ticket?---Yes.

Paid for your accommodation?---Yes.

What about your incidental or miscellaneous expenses when you're there? ---Look, we, we were staying at a hotel that provided most of the things and we didn't really do too much except go and visit his relatives. It, it, there wasn't many incidentals, but - - -

THE COMMISSIONER: What was the date of this trip?

30 MR DARAMS: This trip's in - - -

THE WITNESS: October.

MR DARAMS: 19 October to, well, Mr Tsirekas was there from the - - -

THE COMMISSIONER: 2016, is it?

MR DARAMS: 2016. 19 October. Mr Tsirekas was away until 30 October.

40

THE COMMISSIONER: So this was really, what, just generosity on Mr Chidiac's part, was it, for him paying for your trip?---Yes, Commissioner.

Did you know at about this time, or up to this time, October 2016, Mr Chidiac was very well off financially?---No, Commissioner.

You didn't know that?---No, Commissioner.

10 You didn't know that he was, at that time, a high earner?---No, Commissioner.

And you don't know anything about him being very well remunerated at this time for services and that he was well able to therefore pay for you on this trip to Lebanon?---No, Commissioner.

Didn't know anything about that?---No, Commissioner.

20 MR DARAMS: So Mr Chidiac's funded your travel to Shanghai in August 2016, that's right?---August, yes.

Yeah. He's funded your travel to Lebanon in October 2016?---Yes. And he was paid back.

Right. When do you say he was paid back?---After settlement of the divorce, the settlement, yes.

2020?---2020.

30 THE COMMISSIONER: Paid back 2020, how much?---9,000, Commissioner,

And what was that for, in respect of?---It was, from what Mr Chidiac said, it was part left over for payment on a Chinese trip and the rest was from the Lebanese trip. So I think it was, he's said 1,000 for the Chinese trip and 8,000 for the Lebanese trip.

40 Did he give you a piece of paper setting out the particulars as to how the money was made up?---The transfer, the transfer is there but that's his, this is what he told me and that's what I paid him.

You didn't keep records of any of these sort of arrangements between you and Mr Chidiac, financial arrangements that is?---No, Commissioner.

MR DARAMS: So Mr Chidiac told you that 8,000 was for the Lebanese trip?---And that's what he told me to pay, yes.

1,000 for, what, the Shanghai trip in August 2016?---Yes, yes. Look, I don't know if it was, again, I don't know if was the January trip or the August trip. All he said was "You owe me still 1,000 for accommodation"
10 he said. I said, "Okay. I will pay you back" and I did when I had the money from settlement.

So these, they were loans, were they, from Mr Chidiac to you?---I don't know if you would call them loans from a friend who took me on holiday and I was willing to pay him back. When I got - - -

Well, you owed him money then, though? You knew after the holiday that you owed him money?---And again, I was going to pay him back.

20 Yeah. So you understood you had an obligation to pay him money, correct?---And I did.

Yeah. And you understood that your obligation to repay him, Mr Chidiac, would arise after the settlement of your divorce, correct, or the property settlement?---One of, one of the repayments that I was owed - - -

No, I know that, we can see whether you've done it. No, I'm just asking about your understanding of your obligation and when it would arise to repay Mr Chidiac?---On the settlement, yes.

30 So you knew that from the time that he had met your travelling expenses in August 2016 and October 2016, is that right?---And I was always going pay my debts back, yes.

Yeah, that's what I'm getting to. It's a debt that you knew that you had to repay to Mr Chidiac, correct?---Yes, yes.

You knew that your obligation to repay would occur upon settlement of the, your property settlement?---Yes. Which I thought was going, going to
40 happen within the next six to 12 months.

Yeah. But in your annual returns after you were elected as mayor in 2017, why didn't you disclose these debts in your annual disclosures?---'Cause the disclosure's only for that 12-month period.

No, that's not right.---Yes, it - - -

The disclosure, if it's a debt owed.---Can I just, can you please put that back up so I can have a read of the dates?

10 So we're talking about the debt you owed or the obligation you had to Mr Chidiac from the trip in January 2016, the trip in October 2016, which you said that you understood, after he had funded your expenses, that you would be repaying it when you had your property settlement, correct?---Correct.

So until you repaid those amounts, it was a debt from you to Mr Chidiac, correct?---No. Can I, can I just follow through here? Financial period of disclosures is from 2016 to financial 2017. I was not in a position to sign any declarations for the past 12 months 'cause I wasn't on council.

20 But what about when you came back to council?---But it only goes for the 12 months. That's the way I read those declarations. It only goes back a 12-month period.

So you made a conscious decision, when you filled out the declaration on your return, not to disclose these debts to Mr Chidiac because you looked at the disclosure form and said, "Oh, it didn't happen in the particular period so therefore I don't have to disclose it"?---2016 to 2017 I was not an elected member. Disclosures only go for financial periods. I did not have an opportunity to put it on the disclosures 'cause I wasn't a - - -

30

But when you were - - -?---And it was for, the way I read those disclosures, they were for the previous 12 months.

That's what I mean.---I was not an elected member.

So you made the decision that, notwithstanding you still owed Mr Chidiac money when you returned in 2017, when you came to do your next disclosure you made the conscious decision that you didn't have to disclose it because the debt had accrued, for want of a better description, in the period that you weren't the, weren't on council or weren't required to disclose for is that right?---That's the way I read the disclosures.

40

Yeah, my question is that you made that conscious decision, you thought about it when you came to do the, whatever disclosure you had to prepare upon your return to council, the first time you came to do that, you made that conscious decision not to disclose Mr Chidiac's debts or the debts you owed to Mr Chidiac.---I didn't think about it. I, I took the decision that the disclosures only go back 12 months. I was not on council, therefore there was no obligations for me to disclose it.

10 You know you could have made a discretionary disclosure.---I didn't.

No, I know, but you know you could have.---I think it's on the form there as discretionary, and I didn't do it.

Why didn't you do that?---There's no real reason.

No, there is a reason why you didn't do it.---No, there is no real reason.

20 Is it because you didn't want to disclose to council or have some record that you in fact owed money to Mr Chidiac?---I was a private citizen. I was not an elected member. The disclosures, as far as I know, only go back 12-month period, which I was not an elected member.

I don't think that's the answer to my question.---Therefore I did not provide that information.

30 I just want to understand this. So you've rationalised that you didn't need to, and I'm not suggesting you're wrong about this, but you rationalised you didn't need to make the disclosure because it was a time you were a private citizen and so you made the decision you wouldn't do a discretionary disclosure as well, is that right?---As far as I could understand the disclosures, they go for a financial period. So from 2015 to 2016 I had no disclosures. From 2016 to 2017, I had no disclosures and I only started again when I became an elected member in September, 2017.

THE COMMISSIONER: And is this right, you say you made repayments to Mr Chidiac of \$9,000 sometime in the year 2020?---Yes, Commissioner.

40 But you made no declarations about any debt or moneys owing to Mr Chidiac in any financial return, 2016-17 through to 2020?---No, Commissioner.

You're agreeing with me, are you?---I didn't, not make a disclosure.

MR DARAMS: I note the time.

THE COMMISSIONER: Sorry, you didn't not make a disclosure? Do you mean to say you did not make any disclosure in any of those years?---Not, not disclosure during 2015/2016, 2016/2017, but after that I made disclosures.

10

Of what? Did you make a disclosure about moneys owed to Mr Chidiac in respect of overseas trips?---No, I didn't. No.

All right. I think we'll leave it at that.

MR DARAMS: I note the time but could I just, to complete today, just tender three documents, Chief Commissioner?

THE COMMISSIONER: Yes.

20

MR DARAMS: Could I tender the email, it's an email dated 7 June, 2018, and its attachment? It was an email from Mr Tsirekas' personal assistant or executive assistant - - -

THE COMMISSIONER: Yeah.

MR DARAMS: - - - but could we have a suppression order over the name of the child in the written reference?

30 THE COMMISSIONER: Just a moment. What are we up to? Exhibit 56 is it or - - -

MR DARAMS: Exhibit 56, that's right, Chief Commissioner.

THE COMMISSIONER: Well, then the email of 7 June, 2018 - - -

MR DARAMS: I can give you the name. The email's from Ms Lisa Togafau, T-o-g-a-f-a-u.

40 THE COMMISSIONER: Who was personal assistant to Mr Tsirekas? Is that right?

MR DARAMS: Correct.

THE COMMISSIONER: Yes. All right. Well, that will be admitted and become Exhibit 56.

#EXH-056 – EMAIL FROM MISS LISA TOGAFAU WITH ATTACHMENT DATED 7 JUNE 2018

10

THE COMMISSIONER: Now, you're saying that there should be a suppression order on the name of the child referred to?

MR DARAMS: The child in the reference that's attached to that email.

THE COMMISSIONER: I make a direction pursuant to section 112 that the reference to the child in that email is suppressed and direct that there be no publication or communication to anyone of the name of that child unless further order.

SUPPRESSION ORDER: I MAKE A DIRECTION PURSUANT TO SECTION 112 THAT THE REFERENCE TO THE CHILD IN THAT EMAIL IS SUPPRESSED AND DIRECT THAT THERE BE NO PUBLICATION OR COMMUNICATION TO ANYONE OF THE NAME OF THAT CHILD UNLESS FURTHER ORDER.

30 MR DARAMS: The next tender is could I tender the extract of audio and transcript of session number 20336 and that will be Exhibit 57?

THE COMMISSIONER: Yes, the transcript 20336, sorry, it's the transcript of the - - -

MR DARAMS: Of the telephone intercept.

THE COMMISSIONER: - - - telephone intercept 20336 will be admitted and become Exhibit 57.

40

**#EXH-057 – EXTRACT OF AUDIO TRANSCRIPT OF
TELECOMMUNICATION INTERCEPT SESSION NUMBER 20336
BETWEEN JOSEPH CHIDIAC AND ANGELO TSIREKAS ON 27
MARCH 2019 AT 11:38:28**

MR DARAMS: The last thing that I wanted to raise, Chief Commissioner, is what we seek is to vacate the suppression order that was made in relation to the financial questionnaire.

10

THE COMMISSIONER: Yes.

MR DARAMS: The information in that is relevant to this investigation.

THE COMMISSIONER: Yes. I'll defer that until tomorrow, perhaps, Mr Leggat, you could discuss with your client whether there's any problem from his point of view?

MR LEGGAT: Yes.

20

THE COMMISSIONER: At the moment, I don't see any real need for a suppression order, but I'll leave that until tomorrow.

MR LEGGAT: Thank you.

THE COMMISSIONER: And we'll deal with it then.

MR DARAMS: Well, just, Chief Commissioner, we're not sitting again until Monday morning. There is another - - -

30

THE COMMISSIONER: Yes, of course, we're not. Yes. Can it wait till Monday, can it?

MR DARAMS: Yes, it can wait.

THE COMMISSIONER: Could you just simply make a note to remind me about that, then? We'll deal with it on Monday.

MR DARAMS: I'll deal with that on Monday.

40

THE COMMISSIONER: Yeah. Very well.

MR LEGGAT: Chief Commissioner, I wonder if I might raise something?

THE COMMISSIONER: Yes.

MR LEGGAT: We were played an intercepted telecommunication that was made on 27 March, 2019. Might it be possible for that in an audio form to be provided to us so that we can listen to it again? You might recall there was - - -

10

THE COMMISSIONER: Yes, that's the one that now Exhibit 57, that's the one you're talking about, the one that was played 20336?

MR LEGGAT: It was, yes, session - - -

THE COMMISSIONER: And you want the opportunity to listen to the actual voice recording - - -

MR LEGGAT: The audio file. Yes, please.

20

THE COMMISSIONER: Yes. I grant leave for that.

MR LEGGAT: Thank you very much.

THE COMMISSIONER: And I'd ask you to speak to Counsel Assisting to make arrangements.

MR LEGGAT: Thank you.

30 MR DARAMS: Yes, Chief Commissioner.

THE COMMISSIONER: Is that all? Nothing else?

MR DARAMS: Yes, Chief Commissioner.

THE COMMISSIONER: Very well, Mr Tsirekas. You can step down. If you'd return on Monday morning at 10 o'clock. I'll adjourn.

40 **THE WITNESS STOOD DOWN**

[4.04pm]

AT 4.04PM THE MATTER WAS ADJOURNED ACCORDINGLY

[4.04pm]