

TOLOSAPUB01621
25/05/2022

TOLOSA
pp 01621-01664

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 WEDNESDAY 25 MAY, 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: Yes. Mr Crichton, can you please tell us your full name?
---Heather Anne Crichton.

10 You are currently in an intimate relationship with Mr Tsirekas, is that
right?---Yes, correct.

You've been in that relationship since 2012?---2013, I'd say. If that's nine
years. About nine years.

Have you been in that relationship continuously in that period of time?
---Yes, I have.

20 Have you had any stage where you've broken up?---I took what I call a
long-service leave break just at Christmas for 10 weeks or so.

The Christmas just gone?---Yes, yep.

But otherwise the relationship has been continuous throughout?---Correct.

When I say intimate relationship, it might otherwise be described as each
other's partner?---Yes, that's correct.

You and Mr Tsirekas are financially independent, is that correct?---Correct.

30 You don't have a joint bank account?---No, we don't.

You don't pool your income?---Pardon?

You don't pool your income?---No, we don't.

You don't share living expenses?---No, we don't.

You don't own real property together?---No, we don't.

40 You don't own any other substantial property together, for example, a
vehicle or something like that?---No, we don't.

You don't live together?---No.

Do you have a key to his accommodation?---No.

He doesn't have a key to your accommodation?---No.

10 Has that been the same throughout the entirety of your relationship with Mr Tsirekas, those questions?---Yes. Except for the last few weeks during the course of these hearings, when he has been staying with myself and my children.

So other than the last couple of weeks, all of the questions I asked you about assets owned together, joint bank accounts et cetera, that's been the same, those answers have been the same throughout the period of your relationship?---That's correct, Mr Darams. Thank you.

20 Have you lent Mr Tsirekas any money previously? And when I say lent any money I mean something substantial, say, more than \$100?---Not to my knowledge, no, no.

Have you ever given Mr Tsirekas money for him to undertake travel overseas?---No, I haven't.

30 Has Mr Tsirekas ever paid for any of your travel expenses on your overseas trips?---Yes, he has. Just one occasion. So the occasion was for my fiftieth birthday a couple of years ago, three years ago almost, he was already overseas and he was keen for me to join him at the end of an official, I think it was sister city tour with Canada Bay councillors and he did give me \$2,000 towards an air ticket to join him.

Where was that?---That was Calabria, Calabria and then the – actually, no. The other way around. It was the Aeolian Islands, so Lipari and then back to Calabria and home.

So, what, did Mr Tsirekas transfer \$2,000?---\$2,000.

Into your bank account?---Correct.

40 That's the only occasion that he's paid for your overseas travel expenses? ---That he's paid, yes, that's correct.

THE COMMISSIONER: Just so I understand.---Okay.

He had got on a trip with a group associated with the council. Is that what you're saying?---Yes, Commissioner, but privately funded, so it was in on a sister city relationship that Canada Bay has held for many years, I - - -

10 Sister city being?---Sister city, I think it was 50 years of San Fele in I think it's the mid, mid-region of Italy, and there's also another longstanding sister city relationship within Canada Bay with Lipari.

I see. Thank you.

MR DARAMS: You know Joseph Chidiac. That's right?---Yes, I do.

You've known him since about 2011?---That's correct.

You met him through the Labor Party. Is that correct?---Correct.

20 You and he were members of the same branch of the Labor Party. Am I right about that?---Yes, that's right.

You were good friends with him?---Yes.

Do you know what he does for a job?---Not really, no.

You've been good friends with him since 2011 but you don't know what he does for a job?---Yes, that's correct.

30 Did you ever ask him what he does for a job?---No, not really. We have a lot in common and so would see him occasionally and have a lot of things to talk about.

But not what he does for a job? That's not one of the things that you talk about?---I have some understanding that, and I'm aware that he owns a couple of commercial properties within, within Concord and I know that he manages them, he has an interest in those.

40 But, otherwise, that's all you know about what he does for work?---For work, yes. He's very much a community person, a father of six children, he's - - -

No, no, work.---Yeah.

Paid remuneration. What does he do to earn money?---I don't know.

No idea?---No.

Is that an honest answer?---Yeah, that is an honest answer. Yes. Yeah.

10 Do you know him to – him being Mr Chidiac – to be engaged in lobbying on behalf of developer clients?---No.

You don't know that he does that?---No. No. No. I've learned about some of that during the course of these hearings. I've listened to a lot of the evidence and a lot of it has surprised me, so, mmm.

You also know Mr Colacicco?---Yes, I do.

20 You know that he's a good friend of Mr Tsirekas?---Yes.

You know that they've been good friends throughout the period of time that you and Mr Tsirekas have been in a relationship?---Correct. Yeah.

You've had dinner with Mr Tsirekas and his wife, sorry, Mr Colacicco and his wife?---Yes, yes.

You know Mr Colacicco and Mr Tsirekas to be close friends, don't you?
---Yes.

30 You've also known that they've been close friends for the duration of the period that you've been in that relationship with Mr Tsirekas?---Yes.

I just want to ask you some questions about some of your travel with Mr Tsirekas.---Mmm.

You travelled to Hawaii in January 2018. That's correct?---Yes, that's right.

40 You went with Mr Tsirekas?---Correct.

You say you contributed \$5,000 to the expenses of that trip, don't you?
---Yes, I did.

You gave Mr Tsirekas \$5,000 in cash, didn't you?---Yes, I did.

Where did you get the cash from?---I saved it over, maybe 12 to 14 months.

10 What were you saving it for?---As I've mentioned previously, I was saving it towards possibly joining my school friends on a tour to Hawaii at around that time, but in the end we didn't join them but they were there at the same time that we were in Hawaii. So it had been my intention to go to join my old school friends but there is a 10-year age difference between myself and my friends and it was really, I think it was just too difficult for Angelo to, to kind of lock in with my friends.

When you say you were saving this money for the trip, how is that you, well, can I come at it this way. You gave the \$5,000 in cash to Mr Tsirekas?---Mmm. Yeah.

20 If you were saving it for the trip, I assume you were saving it in a bank account?---No. No. No - - -

Where were you saving the money, then?---I have a safe at home, which is left over from my full-time employment with Network Kokoda. I'd bought a safe to secure a petty cash float, envelopes, stamps, a fundraising licence from the Fair, Department of Fair Trading, yeah.

30 Sure. Let's just focus about how the money gets into the safe. So, what, you withdraw money or you were paid your wages or your remuneration in cash - - -?---Wages and also two lots of child support at the time from my former husband towards my children, so, and I think I was, I received that monthly and I was paid monthly so - - -

But were you paid in cash or were you paid into a bank account?---Was I paid in cash?

Yeah.---I was paid, yeah, no, I was paid into a bank account.

40 Right. What about the - - -?---And but, can I - - -

THE COMMISSIONER: Can I just – sorry.---Yes. Sorry, thank you.

You go ahead. Do you want to say something?---Oh, actually it depends what period of time it was with my employment at Network Kokoda because initially I was paid via a cheque, so I was receiving a sum of money each month via a cheque and that was paid into the bank account, but then later on, so I was more or less a contractor initially, later on I was moved onto a full-time employment condition and I was then, if my memory serves me correct, I then was paid automatically into my bank account.

10 I was going to ask you, are you presently in employment?---My present employment? I work full-time for the Health Services Union and I work - -
-

Sorry, full-time for?---Full-time for the Health Services Union.

I see. And how long have you been in that job?---Just a year and it was a year last week.

I see.---Thank you, Commissioner.

20

And prior to then, have you been in employment over the last 10 years or spasmodically or intermittently?---Intermittently. So I did have a period at Canada Bay Council. I then left there and I had secured full-time employment with the New South Wales Parliament where I had previously worked many years ago for a 15-year period but I, and I was working for a state member. The hours, and actually, yeah, the conditions were difficult for me and my young children. I care for my children, I've had them with me for 15 years, I've been a, really a sole parent with the financial support, and every second weekend my former husband minds the children. And I
30 needed spinal surgery, and so I, I left that employment in order to have spinal surgery and a recovery period and - - -

What year was that?---Oh, I think that was about 2014, '14, and then I trekked Kokoda in 2015, it would have been.

That's all right. I interrupted you, have you finished saying what, summarising your employment history?---Oh, no. If I could just continue, when I trekked Kokoda, and it was with the local group of, we call ourselves the Canada Bay Trekkers, it was with Charlie Lynn with
40 Adventure Kokoda and I had already accepted employment and I was due to start with the Jesuit Mission, I, upon my return from trekking Kokoda, yet I

was reacquainted with Charlie Lynn because I was part of his, his tour, his company, and, for the trek, and when I returned Charlie had been offered, from a generous benefactor out of Melbourne, money towards full-time employment for a full-time officer and he offered me that opportunity and I took that.

Okay.---And I remain a director of Network Kokoda today, which is his charity. So there's a distinction between Adventure Kokoda and Network Kokoda.

10

What years did you work for him or the charity?---Well, it would have been 2015 to 2018.

And Canada Bay Council, what years were you there?---Would have been 2010 to 2013 or there, 2010 to about 2013.

And you worked for a state member in New South Wales Parliament?---I did.

20 Between what years?---'13 to '14.

'13?---13 to 2014. It was just for about, oh, 11 to 12 months but then I needed the surgery and rehabilitation period.

Right. All right, thank you.---Thank you.

MR DARAMS: So the surgery and the rehabilitation was, what 2014 to 2015?---Around then. Sorry, around then. Thank you.

30 Just back to some of the questions I was asking you. So, in relation to this \$5,000, you said you were saving that for about 12 to 14 months.---Yep.

Is that 12 to 14 months before you gave the \$5,000 to Mr Tsirekas?---Oh, yes. Yeah. I've often done that. I, yes - - -

Just focus on my questions, please.---Yeah.

40 So that would be, you were saving that during the period in 2017, you were engaged by Network Kokoda during that period of time?---I think, yes, that would be right. Yes.

Was Network Kokoda paying you by way of direct deposit at that stage?---I think so. Yes. So there have been two different, so initially it was via a cheque.

Sure, sure.---Yep.

But in any event – or can I come around it this way, did Network Kokoda ever pay you in cash?---No, they didn't. No.

10

Either a cheque goes into your bank account or it's a direct transfer to your bank account?---Yeah, no, we have very high governance at Network Kokoda. We're a registered Australian charity. So, no, there's no cash.

In relation to the transfers of child support - - -?---Yes.

- - - was that done electronically?---Electronically, yes.

20 So if I could understand how the cash gets into the safe, do I take that to mean that you would be what, withdrawing money out of a bank account to deposit into a safe?---Yes, yes, but also for my living expenses so, you know, I've had at times quite a tight budget and so it's just a way, you know. I have very elderly parents. My dad's had a very manual way of bookkeeping forever. I've taken a lot of lessons from him so, yes, yes. So some, yes. I still have cash in my safe today. I'm saving for my son's driving lessons at the moment.

Just back to this trip and the travel expenses for this trip in January 2018. ---Mmm.

30

You said that Mr Tsirekas's father also contributed to the expenses of this trip.---To, to Hawaii?

Yes.---No, no, no, no. That was post, when Angelo stood for the federal seat of Reid and it was after that that he - - -

Mr Tsirekas's father contributed – Mr Tsirekas told you that his father contributed \$2,000 to this trip, didn't he, Ms Crichton?---No, not to that trip. No, no, no, no. No, Angelo, no, I think we're getting the trips muddled up.

40 So there have been a couple of - - -

THE COMMISSIONER: Let's get it straight.---Yes. Thank you.

2018 was the Hawaii holiday or trip, was it?---Yes, that's correct.

Right. Now, there have other trips.---Yes, there have been.

All right. Do you know what years the other trips occurred?---There was one which Mr Tsirekas Senior assisted or paid for following Angelo's unsuccessful attempt at standing to be the federal member for Reid and I
10 believe that was 2016.

Yeah.---And he paid for that, yes.

Right.---So - - -

Where was trip to?---That was to Italy.

Right. Yes. So that was 2016 after he was unsuccessful in running for a federal seat.---Correct.
20

Right.---Correct.

What other trips?---And then the only other one was the gift, really it was a gift for my 50th birthday and that's when we, when I flew over and met him in Italy and that was the \$2,000 contribution.

Sorry, when?---I think that was 2019, '18, yeah. Sorry, it's very hard without a chronology.

30 2018 or '19?---'18, yep, when we went to Italy.

And - - -?---When I met him in Italy for maybe 10 days. Maybe I was there for 10 days. He was there for a lot longer.

Where was that trip to?---That was to Lipari.

To?---To Lipari, one of the Aeolian islands, yep.

Yeah.---And then to Calabria, yep.
40

And that was you said a gift to you for your birthday.---Yes.

So - - -?---The airfare component, correct.

Right. Okay.---Thank you.

So they're the trips, are they?---Mmm.

There's the Hawaii back in - - -?---We've also travelled together to New Guinea but I have funded my own way there.

10

What are you referring to there?---Through my charity, through Network Kokoda, you know, one year I went to New Guinea I think on three occasions. I paid for myself.

Sorry, what was three occasions?---To travel to New Guinea to, for the project and also when I trekked Kokoda in 2015 I paid for myself.

Right. Thank you.---And the trek and the porter.

20 MR DARAMS: Chief Commissioner, I need to have the Commission vary a suppression order that was made by the Commission on 4 April, 2022, the suppression order being made in relation to Ms Crichton's compulsory examination. I need to do it for the purpose of this examination.

THE COMMISSIONER: Yes. The evidence of?

MR DARAMS: Ms Crichton.

THE COMMISSIONER: Ms Crichton.

30

MR DARAMS: In relation to this travel.

THE COMMISSIONER: Yes. In respect of the direction made by the Commission on 4 April, 2022 in respect of the compulsory examination of Ms Crichton I vary the – do you want part or all of it?

MR DARAMS: At this stage I only need part of it varied from page 1051 and following.

40 THE COMMISSIONER: 10?

MR DARAMS: 51.

THE COMMISSIONER: Is that it?

MR DARAMS: There were some other pages I need to come to.

THE COMMISSIONER: All right. Well, you can come to them. I vary the direction to permit publication of the transcript 1051 for the purpose of examination by Counsel Assisting of the witness Ms Crichton. Yes.

10

VARIATION OF SUPPRESSION ORDER: THE SUPPRESSION ORDER MADE BY THE COMMISSION ON 4 APRIL, 2022 IS VARIED TO PERMIT PUBLICATION OF THE TRANSCRIPT PAGE 1051 FOR THE PURPOSE OF EXAMINATION BY COUNSEL ASSISTING OF THE WITNESS MS CRICHTON.

MR DARAMS: So, Ms Crichton, I want to first show you page 1051.
20 Now, Ms Crichton, down the left-hand side you'll see numbers, so you'll see 10, 20, 30, et cetera. They correlate to lines in the transcript of the evidence. I just want you to orientate yourself in relation to the questions. So if I could draw your attention to line 30. You can see I've asked you a question on 4 April, "How many times have you been to Hawaii?" "Once and once only. I don't want to go again." So this is talking about the trip, January 2018.---Correct.

This is the trip we've just been talking about in relation to travel expenses.
---Yes.

30

Then I raise it with you, you were a bit uncertain about timing, but in any event at line 39, "All right. Well, does 2018 sound familiar?" And you accepted on that occasion.---Ah hmm.

Then if we go over the page, please. Then I asked you the question - - -

THE COMMISSIONER: I vary the direction made on 4 April, 2022 to permit Counsel Assisting to question the witness in respect of page 1052.

40

VARIATION OF SUPPRESSION ORDER: THE SUPPRESSION ORDER MADE BY THE COMMISSION ON 4 APRIL, 2022 IS VARIED TO PERMIT PUBLICATION OF THE TRANSCRIPT PAGE 1052 FOR THE PURPOSE OF EXAMINATION BY COUNSEL ASSISTING OF THE WITNESS MS CRICHTON.

THE COMMISSIONER: Yes.

10 MR DARAMS: So then I ask you in line 1, “So, did you pay for the airfares for this flight?” and then you give this answer, “What I did, and I did give money” that you’d been saving.---Yep.

And then you can see a few questions that follow, “How much did you give to Angelo?” “It was the 5,000.” All of the money that was in the safe. ---Yep.

So you recall I asked you some questions about money that was in your safe?---Yes.

20

Remember that?---Yep.

That’s the safe we’ve just been talking about today.---Yep.

Then could I please show you the next page. So, Chief Commissioner, you’ll have to vary the suppression order, please, for the next page. See in the first line above, “So his dad’s contributed to this trip as well, has he?” “Yep.” Then I asked you, “How much did his dad contribute to this trip?” “I don’t know but I do know that he did make some money. He’s just so
30 happy that Angelo met me actually.”---Yep.

Then the question, “This was 2018.”---Ah hmm.

“You’d met Angelo many, many years before.”---Ah hmm.

Then you give some evidence about the family issues and the like. Then about line 15, “So Mr Tsirekas’ father contributed to this trip as well, has he?” “Oh, a little bit.” Then I say, “How much?” and you say, “I think a little bit. I think Angelo paid most of it and I paid some.” That would be
40 your \$5,000 that you paid.---Ah hmm.

“I think a couple of thousand dollars.” So this is the couple of thousand dollars that you say Angelo’s father contributed. And then I ask you, “How do you know it’s a couple of thousand dollars?” “Because he said, he’s told me that his dad” – so you’re talking about Mr Tsirekas there?---Mr Tsirekas Senior? I don’t - - -

No.---No.

I said, “How do you know it’s a couple of thousand dollars?”---Yep.

10

“Because he said,” i.e. Angelo Tsirekas, “he said, he’s told me that his dad gave me a couple of thousand dollars towards it to wish us a happy, you know, new year, Christmas, new year.” So what you told me on the last occasion, well, on this occasion, Ms Crichton, was that Mr Tsirekas’ father gave or contributed \$2,000 to this travel, correct?---I’m now getting very confused by all the travel, I’m sorry, sorry.

Just stay with my questions for the moment.---Yeah, yeah, yeah. Sure.

20

It was pretty clear on the last occasion that I was talking and asking you questions about this Hawaii trip, the one and only time you went to Hawaii. ---Yeah.

I asked you some specific questions about your \$5,000 contribution, correct?---Correct.

Then I asked you about who else paid for the trip, so you volunteered Mr Tsirekas’ father, and then I asked you some questions about how much Mr Tsirekas’ father had contributed, correct?---I think so.

30

That’s what’s on this page here.---Yep, yep.

You volunteered the couple of thousand dollars to me in answer - - -

THE COMMISSIONER: Just pause there. You’re following this on the screen?---I am, I am, but I do think there’s a little bit of confusion about the money, but then again, yep.

40

Okay, well, to ensure that you’re not confused, Counsel has put to you that this is a discussion around the Hawaii trip. And I think the Hawaii trip, on

your evidence today, took place in 2018, that right?---Correct. Yes, that's right.

There's only one trip to Hawaii, that's right?---Yes, yes, yes, yep.

Okay. And the question so far that your attention's been drawn to is the two amounts, one of 5,000.---Ah hmm, which is mine.

10 And the other is, it's being suggested, your evidence was "a couple of thousand dollars".---Ah hmm.

You can see that on the screen?---Yes, I can see that.

Okay. And that's what you're being asked about now, as I understand it. ---Okay. Thank you. Thank you for the clarification. Yeah.

MR DARAMS: So, just, sorry, back to line 20, and I don't mean to confuse you - - -?---Thank you.

20 - - - but this was your evidence on the last occasion. So my question, "How do you know it's a couple of thousand dollars?" Your answer is "Because he's said, he's told me." When you said "he said, he's told me" you're referring to Angelo Tsirekas?---To Angelo, correct.

He has told you, that is Angelo Tsirekas, that his dad gave a couple of thousand dollars towards this trip. Correct?---Yes. Yeah.

Do you remember you gave that evidence on the last occasion?---I, well, I must have, yes, so, yes. Yes.

30 What I wanted to, then when I come back at it with the question, "Right. I see. So you contributed 5,000?" And you agreed with that?---Yes. Mmm.

"Angelo's father 2,000, is that right?" "Yeah. I don't know what the whole thing cost, I didn't do the bookings, so, yeah"?---Mmm.

Then I asked you what else you contributed to the trip?---Mmm.

"Me? That was about it."---Mmm. Yeah. Correct.

40 Now, a couple of things I wanted to suggest to you, Ms Crichton.---Yes.

Do you accept that the evidence you gave on this occasion, on 4 April, in relation to the contributions to the trip in respect of Mr Tsirekas' father's contributions is different to the evidence you gave today?---I do think I'm a little bit confused. I was confused - - -

Is the evidence different to what you gave today?---Yeah, no, there's a variation, yes. Okay.

10 So what's the variation?---The, well, the \$2,000, I think that there may be a little bit of confusion between Angelo and Angelo's father that, the \$2,000 I know that Angelo paid for my trip to Italy, so an airfare component towards that, but that was for, yeah, for my birthday, so - - -

That's not - - -?---Yeah.

- - - this 2,000?---No, that's not, no but there was a shortfall, so, obviously, yeah, I, my contribution towards the Hawaii trip was \$5,000. And the rest of the, the balance of it was, was Angelo and his father.

20

See, what I want to suggest to you is that you were - - -?---Yes.

- - - making this evidence up on 4 April, 2022?---No. Absolutely not.

So if I go back to line 20 - - -?---Yes.

- - - my answer was, "How do you know it's a couple of thousand dollars?" You then say, "Because he said," which you've accepted is Mr Angelo Tsirekas, "that his dad gave a couple of thousand dollars towards it, to wish us a happy, you know, new year, Christmas, new year." Now, let me just focus on that proposition there.---Mmm.

30

We're talking, which you understood at this time when I put these propositions to you, we were talking about 2018. Correct?---Correct. Yeah.

So the reference to the new year and Christmas would have been the Christmas in 2017?---2017? Yes. Yes, yes, yes.

40 And the reason I'm suggesting you're making that evidence up, Ms Crichton, is because you know, and you knew on 4 April, that Mr Tsirekas' father died - - -?---I know that.

- - - early in 2017?---That's correct. And he left some money behind for Angelo.

Well, how could Mr Tsirekas' father wish you a happy new year and/or Christmas when he's passed away earlier that year?---It's so long ago. I can't really recall, but, that now, but, yeah. But I know that - - -

That's why I'm suggesting to you, Ms Crichton, you made the evidence up.
10 ---No, absolutely not. No. I take this very seriously. No, absolutely not.

Well, let's just focus on this question and answer here.---Yeah.

Do you say that that's actually what happened? You had a conversation with Mr Tsirekas, he told you that his father gave a couple of thousand dollars to you and Mr Tsirekas towards the trip to wish you happy new year and happy Christmas?---And "happy get on with your life" and - - -

No, no, just - - -?--- - - - "I'm very grateful that you're in my son's life" and
20 just didn't want him to waste any more time, so, yes.

So you still say that that's actually what happened?---Yes, that, that, that there was money set aside for Angelo to have, have a trip, to, to get some happiness into his life. I don't think you understand how hard it's been for him.

No, I'm just focusing on your evidence at the moment, Ms Crichton.---Sure.

So are you now saying that, yes, Mr Tsirekas' father gave \$2,000
30 contribution to this trip?---I believe so, yes, I do think that, yes, yes.

So which evidence is correct, Ms Crichton? Is it the evidence that you have disclosed on this occasion, that is on 4 April, 2022, or is it the evidence you earlier gave today where you denied that Mr Tsirekas' father contributed \$2,000 to the trip?---Ah - - -

They both can't be right.---No. But I do know that his dad did, did give money towards the trip, so, I do know that, that there was money set aside. So there was money set aside.
40

For this Hawaii trip?---Well, for, for the trip at Christmas. So, yes, yes.

THE COMMISSIONER: Christmas what year?---The Christmas, it would have been 2018. He was a very sick man, he, obviously, he knew that he was, you know, just very grateful to Angelo. Angelo had bought him some therapeutic aids, he was very grateful for that. He's put him in palliative care.

MR DARAMS: He was more than very sick at Christmas 2017.---Yeah. He was passed, yeah, yes.

10

Correct.---Correct. But he had left money aside. He's an old Greek man, he, he didn't have a lot of respect for banking and institutions or the church, you know? He was a cash man.

You knew Mr Tsirekas' father very well, did you?---I knew enough about him, I'd visited him a lot. Yes, I, in, in, in - - -

You said he was very fond of you.---He was fond but he had very limited English, he was just happy that Angelo had re-partnered.

20

Right.---He had been through a very, very bad time, yeah. Look, I would have loved to have known him a whole lot better. There was a lot of complexity around his daughters and me.

Thank you, Ms Crichton. I just want to make sure we understand what is actually your truthful evidence about the contributions to the travel for this trip in January 2018.---Sure

30 So when I asked you earlier today whether Mr Tsirekas' father had contributed \$2,000 to the trip you denied that, that's right?---I think I was confused, if I could say, and put on the record, I think I was confused about, about, it's very hard when you're sitting here and it's a long time ago now and you don't have a list of the chronological order of things, I find that hard to look backwards. So, yes, ah hmm, I am telling you the truth.

Well, that's what I'm trying to establish.---Yeah, sure.

40 So, are you now saying that the truthful explanation is the one you gave on 4 April, 2020 and you're saying Mr Tsirekas' father contributed \$2,000 to this travel expenses to wish you a happy New Year and a happy Christmas?
---And - - -

Sorry, just yes or no.---Yes, yes. I think so, yes.

Right. So the evidence that you gave earlier today where he hadn't contributed any amount or 2,000 to this trip was wrong?---No, no. I, no, yes, but I was confused about the \$2,000 from, from the other Mr Tsirekas, so my partner, Angelo. So - - -

10 Well, I don't think you were confused because you did go into explain the \$2,000 for your fiftieth birthday in that evidence as well.---Yeah, correct.

So I don't suggest that you were confused because this one's not about your birthday. What do you say about that?---No, this one isn't about my birthday, that is correct, about Hawaii. Mmm.

Ms Crichton, you also took a trip with Mr Tsirekas in July 2016 to Rome. ---Correct, mmm.

20 This I think is the trip you've referred to in some questions to the Chief Commissioner today.---Yes.

Where you have indicated that Mr Tsirekas' father wanted to help Angelo out after the federal election failure, is that correct?---Correct.

Now, you didn't pay for your ticket for this trip, did you, your airline ticket?---No, I didn't.

You say Mr Tsirekas' father, so Angelo's father paid for those tickets? ---Yes, he did.

30

You travelled business class?---Yes, we did.

When you say "we", that's you and Angelo Tsirekas?---Correct, yes.

Mr Angelo Tsirekas' father paid \$10,000, or contributed \$10,000 for that? ---I don't know the amounts.

40 That's your understanding of the amount that was contributed?---I really don't know the amounts.

Chief Commissioner, I need to vary the suppression order in relation to this. Perhaps if we vary the suppression order for the whole transcript, it would be easier.

THE COMMISSIONER: You're asking me to revoke the section 112 order?

MR DARAMS: Well, just vary it in relation to the other pages of the transcript as well.

10

THE COMMISSIONER: All right. In respect of the transcript of evidence of Ms Crichton on 4 April, 2022, pertaining to the compulsory examination on that date, I vary the section 112 order made on that date so as to enable Counsel Assisting to utilise the balance of the transcript beyond that which I've already varied.

20

VARIATION OF SUPPRESSION ORDER: IN RESPECT OF THE TRANSCRIPT OF EVIDENCE OF MS CRICHTON ON 4 APRIL, 2022, PERTAINING TO THE COMPULSORY EXAMINATION ON THAT DATE, I VARY THE SECTION 112 ORDER MADE ON THAT DATE SO AS TO ENABLE COUNSEL ASSISTING TO UTILISE THE BALANCE OF THE TRANSCRIPT BEYOND THAT WHICH I'VE ALREADY VARIED.

MR DARAMS: Perhaps if I could show you, Ms Crichton, the transcript at page 1046. I draw your attention to line, about line 8.---Ah hmm.

30

Where I say, "So, what, around July 2016?" "Correct, yeah. And I came home by myself, I think that's right, for my kids, yeah." So this is the trip to Rome in 2016, you understand that?---Yes, I do.

40

Then you've given some evidence earlier in the examination that day, and I asked you again, "So you said his dad helped fund that purchase?" Then you said, "Yeah," and I said, "How much?" and you said, "Quite a few thousand dollars, I think, so his dad - -" "Just don't worry about that. I want you to focus on the amount." Then, "No." And then "I want you to focus on the amount and how do you know the amount. You said 'quite a few thousand' but do you know roughly how much it was?" "No. I was of the view, 'cause they were, I think we flew business class. So I think it's

about 5,000 a ticket. And it was my impression that his dad had purchased both of the tickets for us or funded them.” And then, “Right. Now - - -?” Then you say, “He was very sick at the time, too. His dad was very sick.” Then I come down to about line 34, “So your understanding it’s about \$10,000?” You say yes. So you said today you don’t have any understanding of how much it was, but on the last occasion you had understood it was about \$10,000.---Okay.

10 MR HAMMOND: Well, Commissioner, I object to that. Mr Hammond for the record, Your Honour. If you look at the transcript that Counsel Assisting has referred - - -

THE COMMISSIONER: Sorry, I can’t hear you. Could you just, closer to the microphone.

MR HAMMOND: Is that better?

THE COMMISSIONER: Yes.

20 MR HAMMOND: If you look at the transcript from her earlier private examination, you will see she quite clearly doesn’t know the amount. She says, “So I think it’s about \$5,000 a ticket.” That’s an estimate. She certainly has given evidence today saying, well, she doesn’t know how much the father contributed towards the tickets. That’s entirely, in my submission, consistent with what she said earlier, in that she says, “I think it’s about \$5,000 a ticket.” That’s doing her best. She’s estimating that.

30 THE COMMISSIONER: Well, Mr Hammond, these matters can be dealt with in submissions. Counsel is entitled to, where there’s no records of these amounts that are now under discussion, to put questions to try and elucidate the evidence she gave on a prior occasion as against what she’s saying now. I propose to allow the question.

MR HAMMOND: Please the court.

THE COMMISSIONER: Thank you, Mr Hammond.

MR HAMMOND: I’m just concerned, Commissioner, that - - -

40 THE COMMISSIONER: Mr Hammond, I’ve ruled on it.

MR HAMMOND: - - - they're estimates only - - -

THE COMMISSIONER: Mr Hammond.

MR HAMMOND: - - - and the proposition that's been put to my - - -

THE COMMISSIONER: Are you listening to me?

MR HAMMOND: Yes.

10

THE COMMISSIONER: Did you hear that I said that I had ruled on it.

MR HAMMOND: Yes. But - - -

THE COMMISSIONER: Well, you know once a ruling's been made, counsel or solicitor sits down and doesn't keep talking. You understand that?

MR HAMMOND: I understand.

20

THE COMMISSIONER: Well, why aren't you doing it?

MR HAMMOND: I'm just concerned the answer to that - - -

THE COMMISSIONER: No, no, no.

MR HAMMOND: Well, if you let me answer the question, please.

THE COMMISSIONER: Mr Hammond, I've heard enough, thank you.
Yes, Mr Darams.

30

MR DARAMS: Just so I'm clear, Ms Crichton, your understanding about how much Mr Tsirekas' father contributed to the travel expenses on this trip, you're still of that understanding, is that right? He paid - - -?---That, that his father did contribute.

And - - -?---That he bought the two air tickets.

He bought the two air tickets.---Or funded the airfares, yes.

40

And you volunteered 5,000 you thought about for the tickets?---I'm guesstimating, yes. So about 5,000 is what I would think it would have been back then. It's probably a lot dearer now but - - -

So you had an understanding of how much - - -?---Yes.

- - - or about how much Mr Tsirekas's father contributed?---About. Yes, but I never saw, I never saw the paperwork. I didn't go to the travel agent. I've seen none of that.

10

Yeah. Just if I could ask you about something else you gave there. If we go back to line, probably about line 24.---Yep. Ah hmm.

You said there that "He was very sick at that time too, his dad was very sick." So when you say "at that time" you're obviously referring to before July 2016, aren't you?---Yes.

20

How long had Mr Tsirekas's father been sick before July 2016?---Probably for a long time. He lost a lot of weight for a long time but the diagnosis took a long time. By the time he was diagnosed it was too late to really help him. He had cancer.

Sure. I just want to see whether you can assist me a little bit further. So we've got this time period July 2016. You said at this stage he was very sick the time that he helped out with the contribution. Correct?---And the federal election campaign, yep.

30

Sure. So going back, you said he'd been sick for a very long time or quite a long time before that.---A while. Well - - -

12 months, 18 months?---It's very hard to gauge because the diagnosis became - - -

Don't worry about - I want your recollection because of what you understood, your relationship with Mr Tsirekas, your understanding on observation he was very sick at this time. How long had he been every sick for?---I would be guessing.

40

Yeah, I want you to give us an estimate on what you recollect.---I had known him, yeah, obviously for a while. He'd lost a lot of weight. It was very obvious he'd lost a lot of weight.

Can you please just answer the question.---Yeah. I, I don't know. So - - -

THE COMMISSIONER: During his illness to which you're now referring was he hospitalised or was he at home?---Chief Commissioner, we were away in Bali when we got the call to say that he had been diagnosed with pancreatic cancer and, but prior to that he had had quite a few appointments with medical specialists. It took a long time to diagnose and he was always going to Concord Hospital for that. It was when we were actually away in
10 Bali, we were in Bali, when he was taken - - -

When was that? What year was that?---Oh.

To try and put a time marker on it.---It was the year that he passed away.

MR DARAMS: January 2017.---'17, yes.

THE COMMISSIONER: Thank you. Right.---So, and it was while we were in Bali that he was taken to a different hospital perhaps because
20 Angelo wasn't in the country and he was taken to St Vincent's and it was very quickly established that he was suffering from pancreatic cancer and that he didn't sadly have very long to live.

So I gather he was unwell between the time of the diagnosis which was about July 2016, is that right - - -?---Maybe earlier than that, Commissioner.

- - - through till the day he passed away?---Yes. A dramatic weight loss but it could never be quite ascertained as to what was wrong.

30 MR DARAMS: Sorry, Ms Crichton, I understand these matters might cause some concern but I just want to focus on if you can recollect. Back in July 2016 you've identified him or before July 2016 as being very sick.---Mmm.

Was Mr Tsirekas's father bedridden or was he very, had lost a lot of weight by this stage?---Had lost a lot of weight, very low in energy, and if I could give you an example, during that federal election campaign he was so grateful to me that I went out 30 mornings in a row to the railway stations to assist Angelo. Previously he would have helped with railway station set-up. It was very cold. It was in the, in, right in winter and he just didn't have the
40 energy. He would come into the campaign office, which was down in

Burwood. He would come in there and he'd fold a few envelopes. He'd be a lovely presence in the office but he was very unwell which is - - -

The question I asked you was whether he was bedridden at this time because he was very sick.---We had purchased him a therapeutic chair. I'm not sure exactly when that was. Maybe that was just after the election campaign.

But you don't - - -?---So later in 2016 so, but I think in himself he knew that he was unwell.

10

Just what about the bedridden, you don't remember him being bedridden at this time?---Later on.

So how about before July 2016, your observations of his sickness or his general health before that period of time?---Yeah. He was - - -

He was sick at that time too?---Not himself, mmm, so yeah, but I would say, yeah, weight loss, yes.

20

So had this weight loss, what, in the early part of 2016?---Oh, it's fairly hard to look back, I can't recall the exact time but, yeah, he wasn't, yeah, yeah, as he had presented previously, in previous years.

What, as he had presented in 2013/2014?---Very engaged with anything to do with politics, very proud of his son, very much on, on the front foot, very, you know, just a, you know - - -

30

Well, was he sick through 2015?---I, I can't even remember 2015 at the moment, Mr Darams. I'm doing my best, really. I'm trying to be very helpful.

THE COMMISSIONER: Going back to the Bali trip in July '16, I think you said.---Yes. No, it was in July - - -

MR LEGGAT: February 2017 is my note, Commissioner.---Yeah. That's when it would have been. Yeah.

40

THE COMMISSIONER: And how, how - - -?---But there were two trips to Bali, Commissioner, because we were called home early on, from one of them.

Well, one was 2017 I'm told, is that right?---There were two in 2017. Once he passed away we went back again because we had a hotel credit I think for one of the hotels and we, yeah, we went.

Right. Where were you saying in Bali?---In Bali there were two locations, there was Seminyak and Nusa Dua.

Sorry?---There were two locations. So Nusa Dua and Seminyak, and it was the Seminyak leg of the trip where we returned to, I think. So - - -

10

Okay. And who paid for those trips?---I really can't recall that. I would have to look at some records.

You have no recollection?---Mmm, it may have been Angelo but, yeah, it may have been. I may have paid for my air ticket. I'm not sure.

All right.---Yeah, yeah. The way we are, like, I don't know, sometimes I pay, sometimes he pays. It all works out pretty even in the end.

20 MR DARAMS: Now, Ms Crichton, have you ever had a conversation with Mr Tsirekas where you've asked him whether he has in effect gone to Mr Colacicco to collect some money?---To collect money? No, not to my knowledge. To collect money?

Yeah.

THE COMMISSIONER: Do you know of any arrangement?---I know that Frank did lend Angelo a sum of money, I do know that.

30 Do you know of any arrangement whereby Mr Colacicco managed money on behalf of Mr Tsirekas?---Managed money, no, I wasn't aware of that.

And receiving money in cash?---Yeah. I did hear, I did hear that from the evidence the other day, yes.

But you don't know anything about that?---No. I hadn't even heard of that company name until the other day.

40 MR DARAMS: But what about the arrangement? Was the first time you heard about this arrangement, I'll use just a generic description, between Mr Colacicco and Mr Tsirekas, was the first time you heard that in evidence in

these proceedings, was it?---The arrangement being the loan that Frank gave to Angelo. Yeah, I'm a little bit confused, sorry.

THE COMMISSIONER: Perhaps to be clear about, I think reference is being made to evidence given by Mr Tsirekas. I'm sorry, I withdraw that.

MR DARAMS: Colacicco.

10 THE COMMISSIONER: Evidence given by Mr Colacicco in terms of Mr Tsirekas delivering to him parcels of cash from time to time. Did you hear evidence about that?---I heard that evidence, yes.

Okay. Have you been aware before hearing that evidence that those cash deliveries were made by Mr Tsirekas to Mr Colacicco?---No, I didn't know that.

Okay.---I don't know that.

20 MR DARAMS: Did you have a – Chief Commissioner, I wish to play the witness a telephone call session number 7108. So the transcript is at volume 7B, page 1.

AUDIO RECORDING PLAYED

[2.50pm]

MR DARAMS: Ms Crichton, that's obviously a call between yourself and Mr Tsirekas recorded on 29 January, 2019?---Mmm.

30 Now, just on this call, I draw your attention to where you say to Mr Tsirekas "Did you get your money? Did you get your cashie-cashie?"---Mmm.

What were you referring to there, Ms Crichton?---Do you know what? I don't know. I have no recollection of that. I'm wondering myself. "I thought Frank was coming." I don't know. I don't even know what Frank that is. I don't know. "The money is (not transcribable)"

40 THE COMMISSIONER: Well, you initiated the discussion about money on this occasion, and you see the question, "Did you get your money? Did you get your cashie-cashie?" You obviously had something in mind at that time. ---I think - - -

What's your best recollection of what you were seeking to clarify with him?---Thank you, Chief Commissioner. I think I need a little bit of context. I can't even think - - -

No, no, no. Just deal with my question at the moment.---Yes.

Given that this was a statement by you initiating a conversation with a question of the money, what were you referring to?---Do you know what? I
10 don't know. I, I just, that's not familiar to me at all at this stage. So it's obviously a couple of days after Australia Day two, I don't know.

And you see Mr Tsirekas a little later responds, "No, I just get some there." Do you know what he was talking about?---Do you know, maybe they were travelling? Maybe, maybe it was a trip for Angelo somewhere with Frank
- - -

Was there a trip he was undertaking in - - -?---I don't know. He's had a lot of trips, so I'm not sure. I'm not sure of the - - -
20

Yes. But I'm just focusing on the date of the phone call, 29 January, 2019. Is he going anywhere at that time?---I would be guessing. I can't recall his travel agenda. I don't know.

Okay. You then a bit later, you'll see - - -?---Mmm (not transcribable) no, he didn't - - -

- - - you inquire, sorry, you stated that you thought that Frank, who was Frank?---I'm not sure which, I'm not sure.
30

Well, how many Franks do you know?---I, I obviously know Frank Colacicco "I thought Frank was going" but I can't imagine Frank going to Strathfield, so that's - - -

So you're saying you don't know who you're referring to?---No, that is completely unfamiliar to me.

Well, it says, "I thought Frank was going to go Strathfield or something." What are you there referring to?---No, I really don't know, I, I - - -
40

No idea?---No, I can't recall. If I could have some context for what I was doing around then?

Just, yes, just - - -?---Yeah, I'm not sure.

Just pause.---Mmm.

10 The reference to Strathfield. What connection can you recall you had with anything going on at Strathfield or that he might have had at Strathfield about this time?---No, that's unfamiliar. There is another Frank. There's also my lawyer, who's another Frank who is friends with Frank Colacicco and Angelo as well, so there are two Franks.

What's his name?---Frank Mercuri.

All right. Go back to my question.---Yes.

20 What's the reference to Strathfield refer to?---"Frank was going to go to Strathfield". You know, I don't know.

No idea?---No. No, and I wish I – um, Frank - - -

Well - - -?---My children went to school at Strathfield. That's my link to Strathfield.

Sorry, it could be what?---My children went to school at Strathfield, so, or go to school at Strathfield. "Frank was going to" - - -

30 Well, there's no reference to children or school or anything of that kind. ---No, no, no. No, I can see that.

You say the reference there by you to Strathfield in the sentence, "I thought Frank was going to go to Strathfield or something" - - -?---"No, he didn't go."

- - - you don't know what that could have related to?---No, I wish I did know.

40 All right.---Yeah.

And Mr Tsirekas responded, “No, he didn’t go.” “He didn’t go”.
---Strathfield.

And then you respond, “And get the cheque,” and then you laugh. What’s that about?---I really don’t know.

What cheque?---I don’t know. I wish I knew. I wish I knew,
Commissioner.

10 Do you know why you – it’s recorded there that you laughed.---Mmm.

Any idea as to why you would be, that you were apparently laughing when you made reference to that cheque, “get the cheque”?---No, because I, no, I, I can’t - - -

Can’t explain it?---No, no. No. No, I don’t know the context of it. But I do know that that time of the year, like, that’s January so people are on holidays then.

20 Mr Tsirekas responded, “So I’ll just get it tomorrow,” and he laughs. What was that about?---I don’t know.

No idea?---Can’t recall.

No idea at all?---No, at this stage I don’t.

You have no recollection and you have no idea what this conversation was about?---No, I don’t.

30 You don’t. About getting a cheque.---No. No. Mmm.

Yes.---Yep.

MR DARAMS: Could I ask that Ms Crichton be shown the preceding page, the first page.---Yep. Yep.

Just draw your attention, Ms Crichton - - -?---Sure.

40 - - - to the fourth entry from the bottom of the page where you say, “Are you all packed?”---Mmm.

So does this help you now? It seems to be suggesting you're inquiring of Mr Tsirekas about packing, presumably going on some trip.---Ah hmm.

Correct? You'd accept that?---Oh, yes.

It seems that you're inquiring about a forthcoming trip that Mr Tsirekas is going on, would you accept that?---Yes, I would think he's going somewhere. Whether I'm going, I don't know.

10 Not suggesting whether you're going.---No, yep.

So you ask him about whether he's all packed. That seems to suggest at the time of this conversation you had some knowledge that Mr Tsirekas was going somewhere.---Mmm.

Correct? Do you accept that?---Correct, yes, I do. Yep.

Does that now accord with your recollection of this conversation?---No, because I – no.

20

So then if we go to the reference to Frank.---Mmm.

You said that you know a number of Franks, is that right?---No, I said I know two Franks.

Okay. So you know Frank Colacicco.---Correct.

You know Frank Mercuri.---Correct.

30 What about this time, January 2019? Do you know or can you recall whether Mr Tsirekas travelled to Shanghai with Mr Colacicco?---He may have. He has travelled to Shanghai with Mr Colacicco. But whether it was that, whether that is a trip to Shanghai, I'm not sure.

Do you know whether Mr Tsirekas has travelled to Shanghai with Mr Mercuri?---Yes, he has.

Do you know when that was?---No. Sometime in these years.

Do you know whether Mr Mercuri has provided money to Mr Tsirekas for his overseas travel?---Money? I wouldn't have thought so. I don't know but I, I would think not.

You said before that you know Mr Colacicco's loaned money to Mr Tsirekas, is that right?---That's my understanding, yes.

10 Is that based upon some conversation you had with Mr Tsirekas, is it, or Mr Colacicco?---I think at some stage Angelo has always been fairly private about, about such things. But he was waiting on his divorce settlement or the sale of his house, and I believe that he did borrow money from Frank Colacicco.

My question was, was that based on a conversation you had with Mr Tsirekas or on a conversation - - -?---Oh, he shared that information with me, he has.

Did Mr Tsirekas tell you how much he had borrowed from Mr Colacicco?
---I, yes.

20

How much?---\$20,000.

You weren't referring to this \$20,000 in this conversation though, were you?---That, I can't tell you what tell you what, what I was referring to there. That is very unfamiliar to me.

Just one moment.---But with a little bit of context I may be able to help you out. So - - -

30 Do you know whether anyone else other than Mr Tsirekas' father has contributed or paid money for Mr Tsirekas' travelling expenses?---Yes, I do know that.

Who do you know has done that?---I believe, well, I do know Joseph Chidiac had lent him money for a trip.

THE COMMISSIONER: When was that? When?---Oh, it's when they went to Lebanon. So I'm not sure when that was but that - - -

40 And what was the other trip?---So there was that and, no, I don't know of another trip where someone lent money for another trip.

You answered the question you were put, you were intending to say that there was one occasion you recall Mr Joseph Chidiac, did you say lent money?---Yes.

And that was in reference to the Lebanon trip?---Yes, correct.

Do you know of any others, any other trips?---I know that someone else - - -

10 Or any other contributions?---Yes. One other person had lent him money, to my knowledge, yeah.

Who was that?---John Panuccio, Nino Panuccio.

MR DARAMS: How much did Nino Panuccio lend Mr Tsirekas?---Less money that – oh - - -

How much?---I don't know the exact amount right now.

20 What about the approximately figure from your recollection?---Say under \$5,000.

Which trip was this for?---I'm not sure of it was for a trip but he may, I think it was for a trip, yeah.

Sorry, I asked you about whether someone had lent Mr Tsirekas some money or given Mr Tsirekas money for any of his travel. Are you saying you know Mr Nino Panuccio has lent or given Mr Tsirekas - - -?---I think lent money and I - - -

30

Lent.---Yes, lent money.

Under \$5,000?---I think so.

How do you know this?---Because when the divorce settlement, the proceeds from the divorce settlement came through, no, there was a, a repayment made and the first person that Angelo repaid was Frank Colacicco because that was the largest amount and he was worried sick with owing people money, he felt incredibly embarrassed by it. The second
40 person was Joseph Chidiac. I believe that was the, the next sum, and the third amount was to Nino Panuccio.

But how do you know that they went in those orders? Were you, did Mr Tsirekas tell you this as he doing it?---No. Because I was there when he actually was transferring the funds, he was so relieved to have money arrive into his account.

When you say you were there when he was transferring the funds, what, you were sitting at the table with him on the computer, so to speak?---I was sitting on the lounge reading the newspaper and we both do not have great
10 eyesight and both without glasses - - -

Okay. Just focus on the - - -?---Yeah, no, no, but I can tell you this because I do remember this very clearly.

THE COMMISSIONER: What occasion are you talking about now?---The initial amount to Frank, but I think that has to, the repayment, Commissioner, to Frank.

What amount?---I think it had to be made in a couple of instalments.
20

What was the amount?---Well, all up it was \$20,000 to my - - -

How much?---Was my recollection of it. But it had to be made, I think, in a couple of instalments because of the daily balance. So I'm not sure whether he had that increased or decreased. So there was that, then - - -

How did he effect those repayments?---Via his Commonwealth Bank account.

30 How do you know that?---Because I checked the BSB and the amount.

What year are we talking about?---As soon as the, the divorce settlement moneys were through from the sale of the house, so that was, I don't know, not that long ago.

MR DARAMS: 2020?---A couple of years ago, yeah, not that long ago.

THE COMMISSIONER: And Mr Chidiac?---Oh, all, all within the same week, I, I believe. Well, I don't know it was - - -
40

How much was owing to Chidiac?---Oh, the trip to Lebanon, I would be guessing, but under 20. Maybe, I don't know, I did know at some stage. I've seen all the figures, the ballparks.

Did that - - -?---Pardon?

You've seen the figures, you're referring to the CBA records, are you?
---No. I'm referring to him, him keying it online and me checking the account numbers going in. So just double checking before he pressed send.

10

But using his bank account?---His bank account, not my bank account, yes.

Not yours. With the CBA?---Yes.

MR DARAMS: Sorry, I thought you – did these transactions get paid or processed by Mr Tsirekas at the same time while you were sitting on the couch or was this multiple days over this week?---I think maybe a few days in a row because of the, the ceiling that he had on his account.

20

THE COMMISSIONER: Well, what was it?---I don't know what the ceiling was but it wasn't enough to repay \$20,000 in my recollection in one go. So maybe it was ten - - -

MR DARAMS: So you were sitting on the couch on each of these occasions that Mr Tsirekas did it? I think that's what I understood of your evidence or was that not right?---Yeah. We, we often caught up late in the afternoon - - -

30

No, don't worry about that.---Yeah, yeah, yeah, yeah.

When the payments were being made that you say you witnessed - - -?
---Definitely on two occasions, I was there on two occasions - - -

THE COMMISSIONER: Which two?---Well, the first one was for Frank, 'cause his, and I think, and I think I was there - - -

Yeah, and the second?--- - - - when the one went through to Joseph.

40

MR DARAMS: So how do you know about the repayment to Nino Panuccio? That's the third occasion.---Because he'd had a list with him as to who he owed money to.

So you didn't actually witness or observe the repayments to Mr Panuccio.
Is that right?---No, I may have, I may have seen that - - -

THE COMMISSIONER: No, but did you is the question or don't you
remember?---It may be safest to say I don't remember but, no, I do have a
vague recollection but I would hate to mislead you, I would.

MR DARAMS: Just so I understand your evidence, though - - -?---Yes.

10

- - - I think you said something about you were checking the account
numbers or something like that, well, sorry. Were you doing that for Mr
Tsirekas' benefit to make sure that he was transferring the money into the
right bank account? Is that how I understand what you were saying?---Just
double-checking when he put in the BSB, which is six digits, and then an
account number, it's no glasses, I don't, you know, this is a double-check.
It's a big amount of money to transfer and, yeah. No, I've, I, I have often
checked things for him.

20 Just bear with me one moment, Chief Commissioner.

THE COMMISSIONER: Mr Darams, if it would assist, I have to take a
break for 10 minutes. Happy to do that now if that assists?

MR DARAMS: Yes. Perhaps if we could do that now?

THE COMMISSIONER: All right.

MR DARAMS: And it might circumvent this - - -

30

THE COMMISSIONER: I'll adjourn for 10 minutes. So we'll resume, yes,
just about 20 past 3.00

SHORT ADJOURNMENT

[3.07pm]

THE COMMISSIONER: Yes, Mr Darams.

MR DARAMS: Ms Crichton, you gave some evidence earlier about Mr, or Angelo Tsirekas' father, Mr Tsirekas, providing or giving about \$10,000 for travel in 2016.---Yes.

That's your understanding of the amount.---Ah hmm.

Do you know where Mr Tsirekas – and I mean Angelo's father – where he got that money from?---No.

10 Do you know what he was doing at that time?---What he was doing?

Yeah, what Mr Tsirekas was doing in 2016, at the time you said he was sick.---Yeah, no, he was a retired man.

He was retired?---Yep.

Wasn't working at that stage?---No. Oh, occasionally I believe he was still detailing some cars. He had an interest in cars. But maybe not right up until then, but - - -

20

Not up until 2016? What about when he was sick? Was he still doing it then?---No. Oh, well, no. No.

No further questions, Chief Commissioner.

THE COMMISSIONER: Yes. Now, Mr Leggat, I think you've made application.

MR LEGGAT: Yes. Thank you, Chief Commissioner.

30

THE COMMISSIONER: If you want to go first.

MR LEGGAT: Thank you.

THE COMMISSIONER: Yes, very well. Just pardon me a moment. I think you've provided an estimate of time. How long do you think you'll be?

MR LEGGAT: Less than 10 minutes, Chief Commissioner.

40

THE COMMISSIONER: All right. Yes, you go ahead, Mr Leggat.

MR LEGGAT: Thank you. Ms Crichton, Mr Tsirekas presently has a key to your home, is that right?---Just in the last three weeks or so.

But prior to that there was, he didn't hold such a key, is that correct?---No, that's correct.

And similarly you didn't hold a key to his home at that stage?---No, never. Never.

10

During the course of your evidence, occasionally you said words to the effect "If I was provided with some context, I'd be able to, I may be able to assist." Let me give you this context, that the day after the telephone interception, on 29 January, 2019, the evidence is that Mr Tsirekas travelled to Shanghai. With that as context, does that assist you in what you might have been asking when you said, "Did you get your money? Did you get your cashie-cashie?"---That could be the, the money that Mr Colacicco lent to Angelo. It could have been.

20 When you and Mr Tsirekas travel, for example, to Indonesia or to Hawaii, do you sometimes obtain that currency in Australia prior to travelling out of the country?---I, yes, we would, I think. Yes, at the airport.

Have you ever heard Mr Tsirekas speak about a moneychanger in Strathfield who had good rates for the changing of Australian money into the Chinese currency used in Shanghai?---Yes, that is familiar now, yes.

30 What do you recall?---That there is a moneychanger and I think that perhaps Frank Colacicco knows the rates and, yes, that, yes, that, that Angelo has utilised that service before.

In answer to a question you said that Angelo's father was a "cash man". What did you mean by that?---He had a suspicion, I believe, of – what I, what I've been told about him, that he had a suspicion for institutions, particularly churches and banks. I don't, I think I'm, I can tell you that he was a communist and he, his family really left Greece because of, you know, the, the fate that they had been dealt by institutions, so he had a general suspicion of them and, yeah, and kept money at home.

40 At any stage did Mr Tsirekas tell you that his father was helping him financially?---Yes, he did.

What did Mr Tsirekas say to you about that topic?---He was helping him secure a deposit for an apartment in Ashfield.

Did you have any conversations at any time with Mr Tsirekas Senior about that topic?---No, I didn't.

10 What, if anything, did Mr Tsirekas tell you about the nature or extent of the financial assistance being provided by his father in relation to the Ashfield property?---Just that his father was very keen for him to secure some kind of accommodation for him, slash, he and his girls, or just the girls, or perhaps even – there was a third scenario – for him and his wife.

THE COMMISSIONER: Just to be clear about that, you say his father's very keen to what?---To secure. They had an opportunity for an off-plan apartment in Ashfield, and Mr and Mrs Tsirekas lived in Ashfield but a very old, beautiful old house but with a lot of maintenance. And I think given, given his failing health, he was finding the upkeep too great and he was interested in perhaps – one scenario was either it could have been for
20 Angelo, or Angelo and the girls, or just the girls, or for he and his wife. And it was a very convenient location.

What's this based on?---What's what based on, Commissioner, sorry?

That the father was very keen?---Oh, I think because of the demise of Angelo's relationship of his marriage, and he was, he just wanted to ensure that his son had some kind of secure property.

30 Are you saying to this Commission that you discussed that matter with Mr Tsirekas' father or did you - - -?---No, with Angelo, with Angelo.

So this is an account that Angelo gave to you as to his father's keenness to - - -?---Very keen, yeah. And at this stage, I believe, if I've got the period correct, there was about a 15-month period that Angelo was living with his mum and dad as well and they were trying to get him back on his feet financially.

40 MR LEGGAT: When you say Angelo living with his mum and dad, you're referring to Angelo living at his parents' home, not the parents coming to live with Angelo in rented accommodation?---Yes. No, Angelo living at his parents' home, Mr Leggat.

Thank you. Were Angelo's children living with him in their grandparents' home at that stage or were they spending time with their mother?---No. They were, they were back in, in the family home with their mother.

All right. I just want to very briefly touch this final topic. You have been involved in politics yourself, haven't you, at the local government level? ---Yes, correct.

10 What can you tell us about the observations that you've made as - - -

THE COMMISSIONER: Sorry, just before you – Mr Leggat, I'll just clarify.

MR LEGGAT: Yes.

THE COMMISSIONER: When you say you've been involved in local government, in what respects?---Commissioner, I was elected to Burwood Council as a local government councillor at the election in 2017 and I had
20 been re-elected in December 2021 to Burwood Council.

And, sorry, in 2017 which council?---Burwood.

I see. And in 2021 in Burwood?---Correct, yes.

Thank you. Yes, Mr Leggat.

MR LEGGAT: Thank you, Chief Commissioner, as briefly as you can, how
30 would you describe Mr Tsirekas' style of being a councillor or a mayor during the lengthy period that you've been his partner?

THE COMMISSIONER: Mr Leggat, that's far too broad and I'm not sure what you mean by "style" and whether this witness worked with Mr Tsirekas. There is a whole lot of problems associated with that question.

MR LEGGAT: All right. Commissioner, I'll see if I can come at - - -

THE COMMISSIONER: I'm not sure if this witness really is capable of
40 assisting me on this, but anyway let me enquire. You first became elected to a position of councillor in 2017, is that right?---Yes, that's right.

And Ms Crichton, did you ever work with Mr Tsirekas during the course of the discharge by him of his office, his official functions?---I worked at Canada Bay Council in, I think it was, 2010 to 2013 and my role then was to assist the mayor and the councillors in an admin capacity.

What was your role?---I'm not sure of the actual title now, but there were two staff, two staff assisting the team of councillors and the mayor.

10 Well, what were you paid as, to try and give me a sense of what your position was?---Yeah, sure. No, it was an admin role. So it was the office of the mayor and the councillors, so councillor requests, a lot of civic events, hosting of the citizenship ceremonies, mayoral parties, mayoral events.

So the admin, that is - - -?---Associated in those, mmm.

- - - assisting in organising events, is that what you did?---I wasn't his PA, there was another woman who had that role, but I was like an executive support within the office of the mayor.

20

What's administration involve?---Yes, yes.

What did that involve?---Hosting all those events that I mentioned. So a mayoral golf day, big community fundraiser each year, mayoral Christmas parties, all the citizenship ceremonies that happen almost monthly in Canada Bay, welcoming new residents. But then issues that were elevated to the office of the mayor as well, looking after the admin of them and getting enquiries moving and responses drafted, helping with some of the comms out of that, the communications. But I wasn't going out with Angelo at that stage.

30

Is this the period 2010 to 2012, is that right?---Yeah,, around then, yes, Commissioner. Thank you.

Yes, Mr Leggat.---Thank you.

MR LEGGAT: Thank you, Chief Commissioner. How accessible did you find Mr Tsirekas to be to constituents and to people who had lodged development applications during the period that you've known him?

40

THE COMMISSIONER: Sorry, Mr Leggat. Put that again.

MR LEGGAT: How accessible was Mr Tsirekas to constituents and to people who lodged development applications with council during the period that you knew him?

THE COMMISSIONER: In what context? Given her duties at the time, what are you focusing attention on?

10 MR LEGGAT: I was leaving it broad rather than leading the witness to a particular area.

THE COMMISSIONER: But the witness's scope of duties has now been the subject of evidence.

MR LEGGAT: Yes. All right. Well, let's deal with this. First, if I can put it this way. With your council employee hat on, could you speak about the observations about how accessible he was or was not, and then if you take off your council hat and put on your partner's hat - - -?---Mmm.

20 - - - how accessible was he outside of work hours?

THE COMMISSIONER: No, Mr Leggat. No. We're not going to play that sort of game, no. Formulate your question, please, having regard to the evidence that this witness has given as to what her duties were back in 2010 and '12.

30 MR LEGGAT: During the period 2010 to 2012 or '13 when you were employed by council, how accessible did you find the mayor was for constituents or people who had lodged development applications who wanted to raise issues?

THE COMMISSIONER: I reject that question. I reject that question.

MR LEGGAT: Very well. During the period that you were Mr Tsirekas' partner and you would see him socially, did you make any observations as to whether he was prepared to talk with people or to take telephone calls during the times he was with you out of work, so to speak?---Yes, Mr Leggat, very accessible.

40 What do you mean by that?---Completely available, from 7.00am any morning, to have a cup of coffee with any constituent, anywhere across

Canada Bay. That is his style. I think that, that's why he has been popularly elected on five occasions. But accessible to one and all, there is no discrimination.

Right. Thank you, Chief Commissioner. Thank you, Ms Crichton.

THE COMMISSIONER: Very well. Mr Darams, nothing else?

10 MR DARAMS: Just that last question, did that understanding extend to developers with applications before the council? Is that how we understand your evidence "one and all"?---To one and all, yes, everyone. Everyone.

Nothing further.

THE COMMISSIONER: That completes it?

MR DARAMS: That's it.

20 THE COMMISSIONER: Thank you. Thank you, Ms Crichton. That completes your evidence.---Thank you very much. Thank you, Chief Commissioner.

You may be excused. You're excused.---Thank you.

THE WITNESS EXCUSED

[3.37pm]

30 MR DARAMS: I just wish to, there are no further witnesses. I wish to tender the extract of the transcript and audio for session 7108 and that will become Exhibit 54.

THE COMMISSIONER: Yes. The extract of transcript as so described will become Exhibit 54.

40 **#EXH-054 – EXTRACT OF AUDIO TRANSCRIPT OF
TELECOMMUNICATION INTERCEPT SESSION NUMBER 7108
BETWEEN ANGELO TSIREKAS AND HEATHER CRICHTON ON
29/01/2019 AT 22:17:58**

MR DARAMS: Chief Commissioner, that concludes the witnesses for today.

THE COMMISSIONER: Very well.

MR DARAMS: So it would be appropriate to adjourn.

THE COMMISSIONER: Well, I'll adjourn, Mr Darams, and - - -

10

MR LEGGAT: Chief Commissioner, I wonder if I could just raise something late? Mr Chun Zhou was on the list for today. Just in terms of me preparing for cross-examination, is he intended to be called tomorrow or is it just Belinda Li tomorrow?

THE COMMISSIONER: Yes. Can you help with that, Mr Darams?

MR DARAMS: We're just finalising the witness list for tomorrow and as soon as we do that, we'll post it online and I'll let Mr Leggat know as to
20 who will be called.

THE COMMISSIONER: Very well. Mr Leggat, I understand you should be shortly informed as to what the program will be tomorrow.

MR LEGGAT: Thank you, Chief Commissioner.

THE COMMISSIONER: Thank you. Then I'll adjourn.

30 **AT 3.39PM THE MATTER WAS ADJOURNED ACCORDINGLY**
[3.39pm]