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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE JOHN HATZISTERGOS AM
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION HECTOR

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 14 APRIL, 2023

AT 10.30AM

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: Yes. All right. We're ready to resume now. Mr Pilli, you're subject to the same oath that you took yesterday at the commencement of your evidence to say the truth. Do you understand?
---Yes, Commissioner.

All right. Thank you. Yes. Yes, thank you, Ms Davidson.

10

MS DAVIDSON: Mr Pilli, I'm about to bring up, ask to have brought up page 1491 of the public inquiry transcript from yesterday.---Yes, ma'am.

If we could scroll down on the page. I asked you some questions in relation to Mr Abdi and the Banksia project.---Yes, ma'am.

And you see just above line 20 there on the left-hand side you were asked, "Did he, was he keen to, keen for RJS to receive work at Banksia?" And you said, "I think he did mention about the building package but I don't think anything happened with that at some stage." And then you were asked, "Well, you say," I think it should be "he did mention" rather than "you did mention", but, "What was the project in which you mentioned?" That's the way that it has been transcribed. "I think he called me up. I think he called 'cause he wasn't on Banksia. I think he called me up and he just wanted to know what was happening with the projects, like, on the projects and all that, not just Banksia. And he wanted know, I think he wanted to know, I don't know what he wanted to know but he, he asked me like one or two questions about Banksia." Do you see those answers?---Yes, ma'am.

20

30 Do you recall the period of time at which Mr Abdi called you in relation to Banksia?---I think he called me, I think it was a period closer to the tender that he definitely called me and wanted to know information. I think by then the package might have gone out as well.

Did he ask you to send him budget information in relation to Banksia?---No, I don't think so, ma'am.

Did he ask you to send him budget information in relation to Banksia with other stations it was packaged up with?---No, ma'am. I don't think he did.

40

Was Banksia packaged up with other stations as part of the TAP project?
---It was its own station within the project. I think as part of the broader
Downer package it was one of the stations.

Right. So which other stations was it packaged with?---I think there was
Birrong, Canley Vale, Roseville and Wollstonecraft, from what I remember.

Right. And when you say he was interested in what was happening on the
projects, was that the content of the telephone call that you recall?---I think
10 he just wanted to know as in like the org chart of who was allocated to what
project at that stage.

Right, the org chart.---Yeah, as in like, you know, if I had any idea of, you
know, who's on this station or who's on this station.

He didn't ask you to send him budget information?---No, ma'am. I don't
think he did.

Because it was that information that you'd been able to usefully assist with
20 previously.---Yes, ma'am, but not for Banksia, or I don't believe he asked
me to send anything for - - -

You had access to those documents, did you not?---For Banksia, yes,
ma'am.

Yes. And there was no reason from his perspective to think that you
wouldn't be willing to send them, was there?---I don't think he ever asked
me for Banksia, ma'am.

30 I'm suggesting to you it's very surprising if he didn't given the assistance
you'd previously provided.---But I did not, ma'am, offer Banksia.

You didn't offer it. Did he ask you for it?---I don't recall him asking. I
don't recall him asking, ma'am.

Chief Commissioner, can we play, and I hand up and tender extract 2 of
intercepted telecommunication session number 03839. It's a call of
3/6/2020 between Mr Nguyen and Mr Abdi.

40 THE COMMISSIONER: 165, I think.

**#EXH-165 – AUDIO AND TRANSCRIPT OF
TELECOMMUNICATION INTERCEPT SESSION 03839 FROM
TONY NGUYEN TO NIMA ABDI ON 3 JUNE 2020 EXTRACT
18:26:17 to 18:33:16**

MS DAVIDSON: Thank you, Chief Commissioner. If that extract could be
played. This is extract 1. Extract 2 that I've just tendered. That's the
10 transcript for extract 1.

AUDIO RECORDING PLAYED [10.40am]

MS DAVIDSON: All right, returning to the first page of the transcript of
that extract if we can. This is a telephone call that takes place after you've
been paid the amount of \$63,500.---Yes, ma'am.

20 And reflects a conversation with you and Mr Abdi, or at least refers to a
conversation between you and Mr Abdi, on 3 June. Does hearing this
telephone call prompt any recall of that conversation on your part?---No,
ma'am. I, I, I don't ever remember speaking about budget regarding the
second round of TAPs with Nima on, on Banksia.

He, Mr Abdi, has told Mr Nguyen he was speaking to Indian. You agree
that's you?---Yes. I - - -

And he said, "We've got, they're getting the budgets for each package."
30 That clearly suggests a discussion with you about budgets, does it not?
---Nima may have called me and asked me but I might have said, yes, we
might be getting the budget information, but I don't believe I, I gave Nima
budget information for Banksia, ma'am.

Well, previously you said Nima hadn't asked you for the budget, so which is
it?---I don't recall him asking until I saw this, ma'am. Like - - -

All right. And now do you recall him asking?---I, I still don't recall him
asking. I'm, I'm just going based off the evidence you provided in front of
40 me but I do not recall him asking me, ma'am. For, for Banksia, I, I don't.

All right. Well, it seems to have been a conversation that went on. He kind of - if we see at the bottom of the page here, "I kind of like hinted to him that Tony said if we are doing this legitimate, if we get any cut, and I already told him this even back in Kingswood, any legitimate job and there's no cut." Do you recall a conversation of that kind with Mr Abdi?
---I, I think so, ma'am. Just - - -

You think so?---I think so.

10 Right.---I think that might have been a separate conversation to any budget conversation.

Okay. But does that indicate an ongoing willingness on your part to help them secure jobs and cuts?---I don't recall for Banksia, ma'am. I honestly -
- -

It certainly suggests so, doesn't it?---It may, ma'am, but I don't recall having a conversation with Nima about the Banksia budgets, like, I, I don't,
'cause that was during the COVID period where there was a lockdown and
20 everything, so I don't - - -

Right. But you were still working on Banksia during the COVID period.
You agree?---Yes, ma'am, but - - -

You were getting ready for it?---I think we were just preparing the early stage for the projects, but - - -

And budget documents would have been being prepared within Downer?
---Possibly, ma'am, at that stage.

30 And documents that you would have had access to, right?---Possibly, yes, ma'am.

Well, it's not just possibly, yes?---Yes, yes, yes.

You would have had access to them, wouldn't you?---Yes, I, I, I would have, ma'am. I believe so.

40 Right. Mr Abdi seems to be reasonably confident, would you agree, turning to page 2 of the transcript, that he's going to send, that is that you were going to send him the budget. Would you agree that he certainly reflects a

confidence in speaking to Mr Nguyen about that?---He does, ma'am, but I, I don't recall ever sending him any budget for Banksia.

Right. So he says, "When he sends me the budget, I'll know exactly, all right, these are the ones that we can go for." Seems to be the budget in relation to more than one set of stations that they're discussing here?---Yes, ma'am, it appears that way.

10 Right. Turning to page 3 of the transcript, Mr Abdi says, "You're going to have to say if it's a legit job, then maybe we'll throw him a carrot about variations, say, look, if you get us variations, we'll cut you in 10% with variations." Do you remember having a discussion with Mr Abdi of that nature?---No, ma'am.

Or Mr Nguyen?---Definitely not Mr Nguyen, I - - -

20 All right. And you'll see lower down on that page, "Cause you need to say that because I made it out like you're the bad cop, man. I'm fucking, I'm on his side, like, you know what I mean? That's why I didn't." Did you in a conversation with Mr Abdi in June 2020 recall him making out like or as though he was on your side in relation to getting further benefits, financial payments, that is, from RJS?---There was a period, I, I don't know if it was in June, that Nima said that he had a fallout with Tony, so I don't know if he was referring to that in, in terms of that it made him seem like the bad guy.

Right. Well, he certainly doesn't seem to be having a fallout with Tony at this point, does he?---No, ma'am. No.

30 Right. So obviously wasn't at the time of this conversation?---I, I don't believe so, ma'am.

Right. So in his conversation with you, do you remember anything about him suggesting he was on your side in securing further work with RJS? ---No, I don't recall, ma'am.

On page 5 of the transcript, there's a discussion of you buying a Honda Civic?---Yes, ma'am.

40 That was information you'd passed on to Mr Abdi, was it?---Yes.

Right. About halfway down the page, "He called me today," this is Mr Abdi speaking, "And then I said, 'Listen, I want the budget. I need the fucking budget or we don't know what we're doing.'" And then, subsequently, "Then he tells me he can't cook anything but he did tell me today, actually, I forgot to tell you, he called me today to give him some company names, so he needs company names, ABN, email and contact phone numbers." Do you recall asking Mr Abdi to provide you with company names?---No, ma'am.

10 Well, there's no reason for him to make up that kind of request from you, is there?---Maybe he wanted that for, that, that from Tony separately, so he could submit that? But I don't recall making that request, ma'am, to Nima.

Well, it wasn't something that, he wasn't running tenders at Transport, was he?---No, ma'am, but I, I don't recall requesting him that - - -

Right. But, again, there's no reason for him to be making this up, is there? It suggests that you had that telephone conversation with him?---I, I may have, ma'am, but I, I don't recall requesting him, like, if, if I did, I, I would
20 say that, ma'am, like, like I did for Kingswood but I, I don't recall having that conversation with him.

All right. Well, what I'm suggesting to you is that you did have a conversation with him in June where he asked you for the budget, and you indicated that you would send it, in relation to either Banksia or the stations that Banksia was grouped in with.---No, I - - -

Do you agree or disagree with that?---I, I may have said it but I don't believe I sent him any Banksia information.

30 You accept it's possible that you said that?---It's possible I may have said that, but I don't think I, I don't think I did, not, not in the second round of TAPs, like, yeah. I don't think I did, 'cause I was quite separate from Nima and RJS on that, like - - -

You weren't in the habit of saying no to Mr Abdi, were you?---No - - -

Indeed, pretty much everything that he'd asked you to do up to this point, you'd done. Correct?---Yes, ma'am. I - - -

40

Yes. And then you'd asked him repeatedly, maybe not five times a day but repeatedly in relation to the payment. You were anxious about that.---I asked him about the, I was following up on the payment, ma'am, yes.

Yeah, and then you were excited and happy when you received the payment.---I wasn't say I was excited but yes, I did want to purchase a car, ma'am.

10 Well, I think you used the word excited yesterday, but - - -?---Yes, at least in, a little bit. Yes, ma'am.

Right. And you were looking for further opportunities to work with Mr Abdi, were you not? You called him up, at least according to him.---At that stage I might have, ma'am.

Right.---But I might have.

20 So - - -?---But I, I don't recall asking him to provide company names and ABNs and contact phone numbers, ma'am.

Okay, but what I'm suggesting to you is that he asked you to provide budget information as reflected in this phone call.---He, he may have asked that, ma'am, but what I'm saying is it was in his nature, like, I wouldn't be surprised if he did ask that, but I don't believe that I provided any Banksia budget information to him, ma'am.

30 But as you just indicated, you weren't in the habit of saying no to him or not doing what he wanted, were you?---No, ma'am, but I don't believe at that time I did, ma'am.

So I suggest that you did provide him with the budget in relation to either Banksia or the package of materials, package of stations, I should say, with which Banksia was packaged up.---I, I don't believe I provided him with any budget documentations, ma'am. I, I don't. I told, I believe I would have told him that I don't have access to that information 'cause of the new system.

40 He would have known that that was wrong, wouldn't he?---He may have known but I don't think I had access to, I don't, I don't believe I provided the budget, ma'am. I, I honestly do not believe I provided the budget to Nima for Banksia.

And if Mr Nguyen's evidence is that RJS had access to a Downer budget in relation to Banksia, there wasn't any source for that other than you, was there?---I don't know but I didn't provide that budget, ma'am. I, I don't know if - - -

I suggest that you're lying when you say that you didn't.---Ma'am, I did not provide that budget. I don't, I don't recall providing a budget, ma'am. I do not.

10

Did you discuss with Mr Abdi at any point a split in profits in relation to the Banksia building package?---I don't recall. I may have if Nima called me during some early stage and he said, "Do you want to do the same thing?" And I might have said, "If you win the job."

Well, you might have said he may have. Is this actually a memory that you have or something that you're speculating about?---Speculating, ma'am. I don't have a particular memory.

20

Right. What about the Banksia piling package. Do you recall any discussion with Mr Abdi about splitting profits on the Banksia piling package?---I believe possibly if they won but I don't think, I think the conversation I had with Nima was, before that I believed that they weren't capable of delivering that if they won the piling package, so I don't think - - -

So you do recall a conversation with him about the piling package?---I do but I don't think the, I don't recall having a conversation about the profits of the, of splitting it.

30

Can you tell us what you do remember about the conversation about the piling package?---Ma'am, I believe Nima asked that Aidan, that Aidan wanted to deliver the piling package for Banksia and that Nima believed that they could deliver it. I, I didn't, I told Nima in a professional sense I don't think they had the experience to deliver the piling or that, you know, it was a specific type of piling. It wasn't your conventional poles and I told Nima that, "I don't actually think that, you know, you guys can actually deliver that."

And what did he say to that?---I think, I think he still suggested that he thought that they could. I didn't think that they could professionally 'cause it was, it was quite complex piling, ma'am.

And did he ask you to push for them to get the piling package?---No. I believe what he said was at the time that Ross Dean, the superintendent was trying to push RJS.

10 And did he say, "And if you help us we'll cut you in on the profits"?---I don't recall him saying that. I don't recall having that conversation about budgets with him. It was mostly I think about them trying to tender and win that job.

Right, but your assistance in securing the tender for them. Is that something that he sought from you?---No, ma'am. I don't think beyond putting a good word if he wanted me to but I, I didn't believe that they were capable of delivering that so I didn't put that word in.

20 And did you put a good word in for them on the piling package?---No, ma'am. Not, not anything specific.

Not anything specific.---Meaning I evaluated them like as, as equals for all of them. I don't think I said that RJS is good for this, no.

Could we have the transcript for Exhibit 164 brought back up on the screen. Page 8. I'm sorry, it's the wrong exhibit number. Exhibit 161. I apologise. This is the call that you heard yesterday between Mr Abdi and Mr Nguyen.-
--Yes, ma'am.

30 And it relates, at least in part, to the proposal that Mr Stanculescu be approached in relation to assisting RJS on Banksia. You see here Mr Abdi says, "We already know he's dirty. We already know the guy is fucking doing shit. He owns Dalski, right?" You had noted in an answer yesterday that you also had suspicions in relation to Mr Stanculescu and his relationship with Dalski.---Yes, ma'am.

40 What did you know about Mr Stanculescu's relationship with Dalski?
---Vlad would, sorry, Vlad would often talk about other Dalski projects that Dalski were tendering for, et cetera. He would try to talk up Dalski, saying that, you know, they're a good tenderer, you know, they're, you know, that he's worked with them for a long time and he can attest to them.

Did Dalski work on the building program at Kingswood?---No, ma'am. In the beginning they did. I believe they did - they were meant to put up the hoarding during the first possession but they weren't able to achieve their goals or, or, or they weren't able to deliver that scope.

Right. Had you formed an opinion in relation to the quality of their work?
---Yeah, they weren't very good. I mean, they, we, we provide, that possession we provided all of our, all of our resources and labourers to
10 assist on top of theirs, and I don't even think they even got 50% done even after all that.

Right. And that was, as a result of that, were they no longer involved in Kingswood?---No, ma'am.

As in they were no longer involved?---No, they were no longer involved in Kingswood.

And was that because of the way things had gone on that possession?---Yes,
20 ma'am. That's right.

Right. And were you involved in achieving that result?---In, in what sense, ma'am?

That is ending their involvement on Kingswood?---No, I think that was the project managers and higher management that decided, you know, what to do with them and in terms of, you know, providing them additional work or not.

30 All right. So Mr Stanculescu, was it after that that he was mentioning other programs or other works that Dalski was tendering for?---Yes, ma'am.

And what did you understand about how he came to know about that?
---Well, that, you know, that he, he either knew Dalski very well or that, you know, in essence, you know, he, he, he was assisting them or he was some part of that, that company.

All right. Did you ask him any questions about that?---No, he just used to talk and tell me. Like, I never specifically asked. Like, he just used to say,
40 oh, you know, Dalski's doing this. Like, he, I guess that is part of his thing.

He used to frequently talk up Dalski and say, hey, look, they won this job, you know, you know, they're doing this.

Right. And did that cause you to question what his relationship might be in your own mind?---Yes, ma'am.

Right. And did you follow up any of that in conversation with him?---In, in what sense, ma'am? Like ask additional questions or - - -

10 Like asking him any questions about his relationship with Dalski.---No. No, not particularly.

All right. Did he tell you anything about the capacity in which he knew about those things?---I don't recall how, if he, if he said any capacity, how he knew particularly, but I do recall I think later on during that year he did say at some stage that he was acting in a general manager capacity for Dalski.

20 Okay, he said that to you?---Yes, ma'am.

Do you remember when and where he told you that?---I believe it was at the North Sydney office maybe when we were out for lunch or after lunch one day, or we went out for coffee outside. I believe he, he, he brought that up. He said something along the lines of "I'm, I'm acting in a general manager role," or "I'm acting in that capacity for Dalski."

30 Right. And did you understand that to mean he was acting just while somebody was away or that was what he was actually doing at the same time as his Downer job?---I think that was, I think that was what he was doing in parallel to his Downer job.

Right. Did you ask him any questions about that?---No, I, he, he - again, Vlad, I believe, just provided that information. Like, I didn't specifically - I don't recall specifically asking him.

40 Can you be any more specific as to when in - I think you said it was 2020 that conversation happened.---I believe it was probably after, after June, towards the second half of the year. Before we started, maybe before we started establishing on Banksia, so - - -

When did you start establishing on Banksia?---I think we had the first possession in August, but I think we started setting up site towards the last quarter of the year.

All right. So you think it was earlier - - -?---Maybe - - -

- - - earlier than August, is that right?---Probably around that period, maybe between like July, August, September.

10 I think you said your relationship was better with Mr Stanculescu when you were between, effectively between Kingswood and Banksia, is that right?
---Yeah, between, before we actually started onsite. So we were still in the early stages of setting up, yeah.

Okay. And was that the kind of period when your relationship was better that he made, that he told you this piece of information?---Yes, ma'am.

Was Dalski engaged on Banksia?---Yes, ma'am.

20 And did you understand why that was, given the problems that seemed to have occurred at Kingswood?---Yeah, I, I did have my doubts because when I was first working with Dalski at Banksia, there were bits and pieces of work that I already started seeing quality issues with, with, with some of their early stages of work.

Right. Did you ask any questions in relation to why they'd been engaged at Banksia?---I don't recall, ma'am.

30 All right. Chief Commissioner, I seek a variation of the section 112 order in respect of Mr Pilli's compulsory examination transcript and I tender page 593, lines 3 to 24.

THE COMMISSIONER: The variation is granted. The transcript of compulsory examination of Mr Sairam Pilli, 1 March 2022, page 593, lines 3 to 24.

40 **VARIATION OF SUPPRESSION ORDER: THE SECTION 112 ORDER IS VARIED IN RESPECT OF THE TRANSCRIPT OF COMPULSORY EXAMINATION OF MR SAIRAM PILLI, 1 MARCH 2022, PAGE 593, LINES 3 TO 24.**

MS DAVIDSON: Thank you, Chief Commissioner. If that can be brought on the screen.

THE COMMISSIONER: Will be exhibit 166.

10 **#EXH-166 – COMPULSORY EXAMINATION TRANSCRIPT OF
SAIRAM PILLI DATED 1 MARCH 2022, PAGE 593 LINES 3 TO 24**

MS DAVIDSON: Mr Pilli, you were asked some questions in your compulsory examination.---Yep.

About the time at which Mr Stanculescu told you that he was working as general manager for Dalski.---Yep.

20 You were asked, “You said you had a conversation with Vlad in a coffee shop.”---Yep.

“And that’s when he disclosed to you he was working for Dalski.”---Yes.

“Is that correct?” You said that was correct.---Yes, it was during that period but, like I said, it was around lunch or, or when we had coffee. I just - - -

Do you recall whether it was a coffee shop - well, I’ll read you the next questions and answers.---Sorry, ma’am, yeah.

30 “Do you remember where, you said it was in 2020, do you remember which coffee shop you went to?” You said, “Um - - -” “Was it near Banksia?” And you said, “It was near Banksia, yes, that’s correct. There were two coffee shops, I don’t remember which one, that we used to frequent. One was opposite the station and then one was also close to the station but up towards the main road.”---Yes, ma’am.

Now, you’ve said today that it may also have been a conversation that occurred in North Sydney.---Yep.

40 Do you believe that you were giving accurate answers during your compulsory examination as to it being a conversation in a coffee shop near

Banksia?---Yes, ma'am, that, I, that's closer to when that happened, so my, I believe that, that memory would have been more correct.

All right. Well, thinking as to your actual memory now rather than just trying to - - -?---Yeah.

- - - assess based on the dates, thinking back to what you actually remember - - -?---Yes, ma'am.

10 - - - thinking about the location, can you remember anything of what was around you that might enable you to place it?---Ma'am, the thing is I do remember it either being around coffee or lunch. There was like food or coffee involved. I just don't remember if I, to the level of accuracy if it was at North Sydney or Banksia, 'cause we may have gone for a site visit at Banksia and a coffee then when we had that conversation. But it was either, like, doing coffee or food. I do remember that aspect, ma'am.

All right. But do you think it was during the early period at Banksia - - -? ---Yes, ma'am.

20

- - - so, what, between about June and August. Is that - - -?---Yes, around then, when we were setting up site, before we - - -

Before the first possession?---Yeah, before or around that time. It was, it was, I believe it was before we set up, like, I think it was before we, we, definitely before, like, the December possession and when we actually set up and starting doing the major works. So it was before that period.

30 And when Mr Stanculescu told you this, did you say anything to him? Did you ask him any more about it?---I don't recall if I asked him much more about that. I think I just, I think he, when he told me that, I, I didn't know what to ask, I believe. I, I don't recall asking much more or anything.

Right. Were you surprised when he told you that?---A little, ma'am, yes. I was surprised.

40 Do you know whether anybody else at Downer was aware of Mr Stanculescu's relationship with Dalski?---I think, if, if I had to take a guess of who would know, ma'am, I would - - -

I'm not asking you to take a guess.---I - - -

I'm asking you whether you were aware of anybody else at Downer or had any information that suggested to you that anybody else at Downer knew about Mr Stanculescu's relationship with Downer?---Possibly - - -

With Dalski, I should say.---Possibly, Andrew Bedwani, 'cause Andrew Bedwani was quite close to Vlad. And there was a time I remember in North Sydney when we were catching the lift, Vlad was - - -

10 Can you keep your voice up, Mr Pilli?---Sorry. There was a time in North Sydney when we were catching a lift I think to go for coffee or something and Vlad was mentioning about other projects that Dalski had to Andrew Bedwani and he didn't seem surprised.

THE COMMISSIONER: Sorry? He was mentioning other projects that - - -
-?---Dalski.

- - - Dalski had with?---With, I think just in general, like, other projects that they won or tendered for, non-Downer projects that Vlad had information
20 on, that he was mentioning to Andrew Bedwani and Andrew Bedwani didn't seem too surprised that, you know, Vlad was talking about - - -

So you were present when this conversation - - -?---Yes. I was, it was in, like, the lift lobby, along the top. So I was just, I was there while they were having that conversation and I overheard the - - -

MS DAVIDSON: Right. When you say Mr Bedwani didn't seem too surprised, do you remember anything he said?---I don't remember, but I just, I remember just kind of looking at his reaction and I think it wasn't,
30 like, you know, he, I didn't see a surprised reaction or anything, just seemed normal - - -

Right. Are you able to say whether this was before or after you'd found out from Mr Stanculescu that he was working for Dalski?---I, I don't recall the particulars, ma'am, when, as to the time frame.

Are you able to say what year it was, this conversation at North Sydney?---I believe it was 2020, when, 'cause 2020 was when we were in North Sydney working from that office, ma'am.
40

Right. So the only time you were working in North Sydney was between the two, that is, between Kingswood and Banksia. Is that right?---So we were working I think during the early stages before we established at Kingswood and then after Kingswood finished, when we were in between projects, yes.

Okay. But you think this was, well, tell me - - -?---Sorry, yes.

- - - what's the case. Do you think this was in the gap between Kingswood and Banksia, this - - -?---Yes.

10

- - - conversation?---Yes.

THE COMMISSIONER: Sorry? What was the context in which Mr Stanculescu was having this conversation with you and Mr Bedwani? ---I think they were, I think he was having that conversation with Andrew Bedwani. I was just, I think Vlad, like, asked me to come down for coffee or, or anyone. I think we were meeting some other people for coffee, just, like, as a team coffee thing and I think Vlad and Andrew Bedwani were, went ahead and they were talking and I was just following from behind - - -

20

To your knowledge, was Mr Bedwani aware of Mr Stanculescu's role in Dalski?---To my knowledge, I, I, I don't know to the extent of his knowledge, but from what my observation was, that's what I, that's what I came across.

Sorry? What do you mean?---Like, when they were having the conversation and I overheard Vlad say that, you know, talk about other Dalski projects and Andrew Bedwani wasn't surprised, so - - -

30 I see. Sorry. Yes.

MS DAVIDSON: Apart from Mr Bedwani, was there anyone else at Downer that you thought may have been aware of Mr Stanculescu's relationship with Dalski?---Possibly, Sina - - -

THE COMMISSIONER: Sorry? Who?---Sina Bigdeli, yeah, I think, was another project manager, that Vlad was quite close with - - -

40 MS DAVIDSON: Right. And what caused you to think that Sina may have been aware?---I think Sina used Dalski, as well, like, for his station packages, so I think there was a period, I think, where I might have heard,

like, I, I don't recall if I heard but I think Vlad and Sina were also talking about Dalski, I, I don't particularly recall, but I do remember Sina and Vlad also being quite close, so - - -

So was it just from the closeness of their relationship that you draw the conclusion that Sina might have known?---Yes, ma'am.

There wasn't anything particular in a conversation or - - -?---I, I, I can't, I can't recall anything, in particular, between them.

10

Did you continue your contact with Mr Abdi throughout the Banksia project up to the time you left Downer?---It was a, it was intermittent. There were periods where I believe I didn't speak to him for weeks and months and then Nima did mention that he had a fall out with Tony and all that, and then I think there was a period where I didn't speak to him, then I think maybe closer towards October/November he called me up once just speaking about Tony.

20 Right. He was somebody who had been providing you with quite a lot of support, it sounds like, during the Kingswood project?---Yes.

Your relationship in terms of its continuation didn't continue as a result of your desire to have that support from him?---Well, again, there was a period where my relationship with Vlad improved and then I wasn't - - -

I think you indicated yesterday it deteriorated again though once you got onto the site at Banksia.---Yes, it did, ma'am. Yes, ma'am, it did.

30 Did you contact Mr Abdi about that?---No, ma'am, I, I don't think I did because I wasn't seeing Nima in Person anymore, so again I think, I think that distance grew again between myself and Nima towards the - - -

Did you maintain contact with him by phone or WhatsApp?---I believe it would have been by phone call or maybe even WhatsApp. I don't recall.

40 All right. And he called you to tell you about, something about Tony?
---Yeah, that, towards the end like there was, he told me that he had a fall out with Tony and then there was a call where he said, I think he was trying to make amends with Tony and things were maybe going to be okay or something like that. And - - -

Was that in the context of you again working with him and with Tony?
---No, ma'am. I believe by then, like, the Banksia packages were awarded and all that. I think it was just a general conversation.

All right.---Or they started being awarded.

So you believe by then the Banksia packages were awarded.---Or they were starting to be awarded.

10 Is it right that before the Banksia packages were awarded he was calling you about the Banksia packages?---He, he called me about the piling which, which I mentioned earlier, and I think there was one time he, he did call me about the building packages after the package went out for tender. I think he wanted to know about some of the issues at Banksia. We had heritage issues under section 170 which I mentioned and I told them that it's quite complex, issue, and I think he said, "Oh, okay." Yeah, that, that was the - -
-

20 Did you give him all the information he asked for?---No, I think he asked in terms of, just, like, general issues in terms of, you know, what's there at Banksia, you know?

Right, but you answered his questions.---Yes.

Just as you'd answered all of his previous questions and previous requests.
---I believe so. Like, to, maybe not all of them but, like, you know, if he said, you know, I think he asked if there was an issue with Banksia with the drawings or something like that after they received them, like, as part of the
- - -

30 All right. But the nature of your relationship was that if he asked you to do something or asked you some information, you did that thing or provided that information, didn't you?---Generally, yes. Not always if I, if I, there were times when I said, "Look, I can't provide that information," as well.

Well, there hadn't been any times when you said you couldn't provide that information, had there?---Yes, ma'am, I believe when he, when he asked for the, when he may have asked for the Banksia budget I would have told him that.
40

All right. So you're suggesting that was the only exception, that you said you couldn't provide the Banksia budget information, even though previously when he'd asked for information and subsequently when he asked for information, you always gave it to him?---Yes, ma'am, but I don't recall ever giving him the Banksia budget.

It's not believable, though, is it, Mr Pilli, that you - - -?---Ma'am, but - - -

10 - - - made a special exception for the Banksia budget information?---I, I don't think I gave it to him, ma'am. I, I, if I recall I would say it, but I don't recall.

Well, in late 2020 did Mr Abdi come to your house?---Late 2020, yes, yes, ma'am, he did.

20 What occurred then?---He, he came to my house on an unsolicited visit. He just, he just rang my doorbell and he said, and, you know, I couldn't even see his face properly. I think he was wearing like a hoodie or something. And I asked, like, "Who's this?" And he's like, "It's me. It's me. Can you come down." And I didn't know what to - - -

So were you upstairs or something?---I was, yeah, I was upstairs, ma'am, 'cause we have an intercom.

Right, you had a video intercom.---Yeah. Yeah.

30 Right.---I was surprised and then, yeah, he came down then he asked, "Oh, did anyone contact you? Did anything happen at Downer? And it was a bit sketchy, like, what happened." And then he suggested that, yeah, he was contacted by the ICAC or, and if he asked if, if I, if I knew any information or if anyone had contacted me.

All right. And what did you say to that?---I said, I said, "No. Like, I don't know what's happening." And then if I ever asked him - - -

Was that true at the time?---Yes, ma'am.

40 Right. Do you remember when this visit occurred?---I believe it was towards the end of 2020, ma'am, maybe towards late December, around early January, that period.

Okay, so you said you didn't know anything.---No.

And did he ask you to do anything at that stage?---No, ma'am, I think he, I don't think he asked me to. I think he, I think he asked me to, I don't know if it was in the first visit or the second visit. He, he wanted me to delete any WhatsApp messages that, that he had under his name.

All right, so there was more than one visit from Mr Abdi?---Yes, ma'am.

10 All right. Are you able to say how many there were?---I don't recall but it was, I'd say maybe, maybe four or five between a period of, that period around late December, early January, to about April I recall.

All right. How frequently was he coming to visit you?---It was, I don't think there was a set thing. He just used to randomly come. And when I asked him how he got my address, he said that he looked up my address in, in the ASIC files from my ABN, and then he pulled it out. 'Cause I, I didn't really want him to be there. He came unannounced. I've got family and, you know, he just comes and rings my bell. So I wasn't too comfortable
20 with him - - -

You were surprised by him showing up?---Definitely, ma'am, every time. And it, it caused me anxiety any time anyone, like, rang a doorbell 'cause I was just like is it going to be him? I, I didn't want him there.

Right. Did you tell him that?---Huh? I, I, I told him that, I believe I told him that I've got relatives or, or family or friends, people coming over, and that, you know, that he can't keep visiting.

30 Right. Did he keep visiting after you'd continued to - - -?---Once I told him that, he still came once and then I again reiterated that, that I've got like family coming and that he can't come, and I think that was probably around April and that was the last time.

That was the last time he came. You said on the first or second visit he asked you to delete some messages.---Yes, ma'am.

Can you recall what he said to you?---He said, oh, he wanted me to delete any, I think, WhatsApp messages or, or, or his contact.
40

Is that WhatsApp messages from him?---Yes, ma'am.

And did you do that?---Yes, I did. Well, he, he, he - yes, I did, ma'am.

All right. You said "Well, he". Were you about to say something else?
---Well, he, he, he pressured me I went out, because I asked him questions of, like, "What's the reason? Like, what's happening?" He wouldn't give me proper information. He's like, "Just do it, just do it." Like, you know, they'll, so - - -

10

Did you understand it was in the context of him being concerned about this Commission's investigation?---I, I believe so, ma'am.

All right. He told you to, to just do it. You said you felt pressured.---Like, he was in the car and, you know, acted like he was panicking. He's like, "God, delete it now, delete it now," like - - -

So you were sitting in the car?---Yes, like, he, he, he's - - -

20 Did you have your phone with you in the car?---Yes, ma'am, I did. I did. I, I just, 'cause I carry my phone everywhere.

Sure.---Like, I, so, you know, I just naturally just brought my phone with me.

Okay. So did you get it out to show him the messages or - - -?---I, I don't recall if I did. I may have but I do recall him saying, "Delete it." Whether it was at that moment or after, I don't particularly recall.

30 Okay. Do you recall - you said you did delete the messages?---Yes, ma'am.

Did he ask you to do that in front of him?---Yes.

And you did that?---Yes. I, I, yes, I did delete them.

Did he ask you to do anything else?---No, he was just asking me, mostly on his visits he was just questioning me about whether I had been contacted by the Commission or whether there are, whether anyone in, whether there was any news in Downer about anything. Sorry, it was mostly just that that he
40 wanted to know what was happening from my end.

All right. You weren't working at Downer by this point, that is by the beginning of 2021, were you?---By - yes, ma'am, no, I wasn't.

Right. Did he continue to ask those questions on the subsequent visits after you deleted the messages?---Yeah, he, yes, he wanted to know if, if anyone from Downer called me or if, you know, if they asked questions or if, if, or if again I'd been contacted by the Commission.

10 All right. Did you understand that the messages - that is the WhatsApp messages - contained information that would have been relevant to this Commission's investigation as you understand it, having been asked questions about it?---Possibly, ma'am, yes. Yes.

Well, possibly?---Yes, I believe so, yes.

They did, didn't they?---Yes, ma'am.

They actually did.---I think so.

20 You were - - -?---I, I, I don't remember the content of the messages like as to what was said but, yes, I do believe - - -

You believe that they would have been relevant?---Yes, ma'am.

Did you consider contacting anybody in relation to his visits to you?---Yes, ma'am, I, I, I did consider trying to contact the Commission but I didn't know what channel, what I had to do or if there was anything to do.

30 Did you consider contacting the police?---If, if Nima continued, yes, but after April he stopped. I thought if my family came and he was there, I was going to 'cause I, I didn't want him there.

Right. Did he ask you to say or not to say anything to anybody else about his visits?---Yeah, he didn't want me to tell anyone, including the Commission, he's like, that he, that he was visiting.

What did he say to you?---If, if they ever ask me.

40 What did he say to you?---Oh, he said if, if, if, he said that something along the lines of, "If the Commission asks, like, you know, about me visiting you or anything, you know, don't tell them anything."

And how did that make you feel?---Uncomfortable because like he's asking me to lie to like the Commission if they ask me about his home visit.

Right. You said he was asking you to lie to the Commission about the visit. Did he ask you to give evidence to the Commission about anything else in any particular way?---I think, I think he was trying to like frame things, like, bits and pieces that would potentially favour his defence, like, in the Commission if, if I ever got questioned or anything like that.

10

Right. How did he ask you to frame things?---I think he said that, something along the lines of, I don't recall the exact conversation but he said, I do remember him saying about the visits and I think about the cash payments. He didn't want me to mention that as well.

Right. He asked you not to mention the cash payments.---Yeah.

Did he refer to you having received the cash payments as a reason for you giving evidence in a particular way to the Commission?---Sorry, ma'am, as in - - -

20

Did he refer to the fact of you having received the cash payments as a reason for you giving evidence to the Commission in a particular way?---I don't understand the question. I apologise.

You said to the Chief Commissioner he wanted you to frame things in a particular way.---Yeah, like - - -

“To favour his defence,” I think were your words.---Yes.

30

Can you remember any more about what he was saying to you about that? ---I do remember that one of the things was the cash payments.

So what did he say? What did he tell you to say about the cash payments? ---He, he told me not to mention that.

Right.---Yeah.

Was there anything else that he wanted you to say to, in your words, favour his defence?---Those are the main particular ones I can recall. I can't recall much else in specifics, ma'am.

40

Okay. Did he suggest to you that he would provide any information about you to the Commission?---No, not particularly. I don't recall that, ma'am.

That's the examination, Chief Commissioner.

THE COMMISSIONER: Yes. No request for - - -

MS DAVIDSON: No.

10

THE COMMISSIONER: - - - any other authorised party to ask questions of Mr Pilli?

MS DAVIDSON: I understand not, Chief Commissioner.

THE COMMISSIONER: In those circumstances, are you asking that he be stood down?

20

MS DAVIDSON: I ask that he be stood down but not released from his summons.

THE COMMISSIONER: Mr Pilli, it's not clear at this point as to whether you will be required to come back to the Commission to answer further questions. However, I am going to ask you to stand down. In the event that circumstances arise and it's necessary to have you recalled, you will be notified through your solicitors. Do you understand?---Yes, Commissioner.

30

All right. So you can stand down for the time being and you're free to go, but in the event that you are recalled, you will be notified through your lawyers.---Yes, Commissioner.

You're not fully discharged. Do you understand?---I understand, Commissioner.

All right. Thank you. The Commission will now adjourn.

THE WITNESS STOOD DOWN [11.28am]

40

SHORT ADJOURNMENT [11.28am]

THE COMMISSIONER: Yes. Are we ready to resume?

MR ENGLISH: We are, Chief Commissioner. And Mr Abdi's up, just sitting at the well of the Commission.

THE COMMISSIONER: Yes. All right. Thank you. Mr Abdi's present. Yes?

10

MS CEIC: Yes. If the Commissioner pleases, it's Ms Ceic, C-e-i-c, for Mr Abdi.

THE COMMISSIONER: Ms Ceic?

MS CEIC: Yes.

THE COMMISSIONER: Yes. Thank you, Ms Ceic. Mr Abdi, would you come forward, please? Just take a seat. If the witness could be resworn?

20 Will you take an oath or an affirmation?

MR ABDI: What I did last time.

THE COMMISSIONER: Now, the section 38 direction which I made on the last occasion continues for the purposes of Mr Abdi's evidence. So, just to remind you, Mr Abdi, you must answer all questions truthfully and you must produce any item in the summons or required by me to be produced, so the declaration I made on the last occasion continues but that doesn't prevent your evidence from being used against you in proceedings, including proceedings under the ICAC Act for an offence of giving false or misleading evidence or in relation to disciplinary proceedings against a New South Wales public official if the Commission was to make a finding that you engaged in or attempted to engage in corrupt conduct. So all answers that you're giving at the moment and all items produced will be regarded as having been produced on objection. Do you understand that?---Yeah.

All right. Thank you. Thanks.

MR ENGLISH: Thank you, Chief Commissioner. Mr Abdi, you recall on the last occasion, we'd dealt with the JTG invoices to Downer which totalled \$234,088. Do you recall we dealt with those?---Yeah.

And they were issued on the JTG Services letterhead. There were three invoices to Downer in circumstances where no work was performed in each case. Correct?---Yeah.

And Mr Aziz was involved in approving those invoices, wasn't he?---Yeah.

And each of those invoices was paid. Correct?---Yeah.

And then we touched on the Chandler Macleod invoices. You recall that?---Yeah.

And I asked you some questions whether the money that was paid to your wife's bank account pursuant to those Chandler Macleod time sheets was spent on a property in Waitara. Do you remember me asking you a little bit about that?---I think so.

And you corrected me. You said it's in your wife's mum's name, that property. Is that right?---Yeah.

And you said none of the money from that was paid through Chandler Macleod to your wife's account was used to service or improve that property in Waitara. That's correct, isn't it?---Yeah.

Can Exhibit 89, volume 2.3, page 132, be brought on the screen, please? You can see here, this is a quote from Spot On Decorating Services contained in an email of 15 August 2019 to tony@rjsinfrastructuregroup.com. Do you see that?---Yeah.

10 And you can see that it's attaching some documents that refer to a street in the suburb of Waitara, do you see that, from the attachment?---Yeah, yeah.

If we just go down to the next page, please? You can see there the quotation from Spot On Decorating Services to that address in Waitara. Is that the Waitara property that's registered in your wife's mother's name?---I think, yeah.

Okay. And is there a reason why, to your understanding, Spot On Decorating Services was providing a quote to Tony Nguyen at RJS
20 Infrastructure Group to carry out works at that property?---She, I think she'd just bought the place and, and she's on the pension. And she didn't, she didn't have enough money. And I said I'll cover it and then we, I spoke to Tony and I, I put the expenses on the, on the company.

Okay. So was Tony Nguyen engaging in discussions with Spot On Decorating or were you doing this using Tony's email address?---No, I, I was, I was just, I think, I, I can't remember, but I think I just spoke to him, like, I just, on the phone, it was just, the conversation was on the phone. I think the invoice would have just been emailed. I would have told him his
30 email address and he would have emailed the, the invoice to, to Tony.

All right. So you were dealing with the person, were you, if we go to the next page, just scroll down, you were dealing with this person, if I pronounce his first name correctly, Andrzej---I don't remember their, I don't remember his name, but, yeah, I was dealing with the painter.

Okay. And is there any reason why RJS was being used? I mean, were these moneys being paid by, to be paid for these works, did they come from RJS?---Yeah.
40

Okay. If we can go down to page 137, please. You can see here this is another invoice from Spot On Decorating Services. It's an email address S-O-D, you can see the next word, @yahoo.com. Is that a real, is that a real business to your knowledge?---I'm pretty sure, yeah.

Okay.---Like, I, I, I engaged a painter to paint the house so it would have been.

10 All right. Okay. And then if we scroll down one page please you can see a deposit was paid. And then if we go down another page you can see the final invoice comes on 19 August there and the following page, which is 140, you can see the final invoice was provided. So all those moneys were paid from the RJS Infrastructure Group account. Is that right?---Yes.

All right. And then if we can go to, please, exhibit 35, which is volume 1.5, page 358. This is a quote made out again to Tony at RJS Infrastructure Group for that Waitara address. Do you see that?---Yeah.

20 And it's around the same time, 14/8/2019, and the total quote is \$5,500. Do you see that?---Yeah.

Were these more works carried out at that address using moneys that came from the RJS account?---Yeah.

All right. And you can see there there's a mobile number ending in 802. Do you see that?---Yeah.

30 That's the Peter Penny number. Remember we discussed that on the last occasion where Mr Nguyen had given you a licence and you'd used that to register a name and that name was Peter Penny. Do you recall that?---Yeah. I, I don't recall the number, but, yeah, it could have been.

So - - -?---It could, it could be my number.

So you were dealing with these people.---Yes, I was dealing with them direct.

40 Why put down Tony's name if you're dealing with them?---Because the invoice had to go to Tony.

Okay.---Like for the business purposes.

All right.

THE COMMISSIONER: So what was this, so you could have this invoiced to RJS even though it was in relation to your mother's property?---Yes.

Was that the reason?---Yes, for RJS to pay for it.

10 Is this the property she lived in, was it?---Yeah, this is at Balmoral, yeah.

And what were you seeking to achieve by that?---Like I said before, she was, she just bought it and she was on the pension and she didn't have enough money to do some works and I just said to them, "Don't worry. I'll, I'll look after it." So it was just painting and, and the flooring. That's, that's all I can remember.

Yes. All right.

20 MR ENGLISH: And did an invoice like this made out to RJS, was that something that, to your understanding RJS would then use to offset its, its taxable income?---I don't know, like, I wasn't aware of that, but it was more, it was going to draw down on my profit share of the company.

All right.---So it was just drawing down on the profit share of my, of my, my company, of my (not transcribable)

So instead of you being paid a dividend by RJS - - -?---Yes.

30 - - - you'd be credited - - -?---Yeah.

- - - the value of this payment?---Yeah.

I see. All right. Just returning to the Chandler Macleod payment, if we can go to volume 2.3, page 206, please. Here you can see this is an email from Mr Aziz to a Ms Orr at Chandler Macleod, asking for [REDACTED] and your wife to be set up as new starters with Chandler Macleod. Do you see that?---Yes.

40 And Mr [REDACTED] is identified to be paid \$160 an hour while your wife's identified as being paid \$96 per hour. Do you see that?---Yes.

And how was it that Mr Aziz put forward these two people. Did you have a discussion with him about that?---Oh, I don't remember, like, I mean, like, I don't, I don't really remember, to be honest. It was just, maybe it just came out of the blue and we were talking to each other. I don't really remember.

10 Sure. Well, this was before the JTG invoices, which followed with the first one to - the JTG invoices to Downer, the first one was on 15 May 2020. So it must have been right from the start that you'd realised, or Mr Aziz had told you that Mr [REDACTED] and your wife could be paid in circumstances where no work had to be performed, correct?---To be honest, I don't remember. I - - -

But that's what happened, wasn't it? You know that.---Yeah, that's right, yes.

So we can come to it, but your wife's identity documents are provided with this application. Are they things she provided to Mr Aziz or did you provide those documents?---No, I did.

20 And did you ask her for those documents or did you just take them from wherever she kept them?---No. No, I just took them because they're just in the house.

All right, well, so for you to go to those lengths, you must have understood what this was for. What was your understanding this was for?---Yeah, no, like we spoke about this before. I thought we covered all this, yeah, the same as before, we, yeah, it was just to, the, to say that they're working and get paid for it, but there was no work to be done.

30 Okay. If we can go to page 187 of volume 2.3, please. This is a registration contract in your wife's name and again you must have supplied the information on this form to Mr Aziz, is that right?---Yes.

Okay. And if we go to the next page, we can see that the identity documents, there's a passport that's been provided and a driver's licence. Do you see that?---Yes.

And then Mr Aziz is the referee. Do you see that?---Yes.

40 Did you discuss that with him, that he'd be the referee for your wife? ---Yeah.

What was that discussion?---I don't remember. I think he just said, oh, you got, you just put me down and that's it.

So you filled out this form, did you?---Yeah.

Okay. And did you have to sign anything or was it online when you filled out this form?---I don't, I don't really remember, to be honest. I thought it was online.

10

You thought it was online?---Yeah.

Okay. Just bear with me one moment. So then it was Mr Aziz who told you to fill that detail in when you filled out the form online that he'd be the referee?---Yes.

And you knew that was patently false, correct?---Yes.

All right.

20

THE COMMISSIONER: Did Mr Aziz know your wife?---Yes.

And was your wife aware that he was going to be the referee?---Sorry, what was that?

Was your wife aware, to your knowledge, was your wife aware that Mr Aziz was going to be the referee - - -?---No, no.

- - - for the purposes of this application?---No.

30

What knowledge did she have of what you were doing?---I don't think, I don't think much.

Did you discuss it with her?---No.

You must have got her driver's licence to provide the - - -?---I just know where everything is.

Sorry?---I just got it out of the house.

40

What do you mean you got it out of the house? Presumably it would be in a wallet or - - -?---Yeah.

And you just got it out, what, you didn't even tell her?---No.

I see. All right. Sorry.

MR ENGLISH: No, not at all, Chief Commissioner. Can we go down to page 191, please. How did you know these things? There's a health
10 questionnaire here, Mr Abdi. And I don't want to go into detail about it but there's some particulars of the, of the immunisation history including dates of immunisations for different types of medical issues. Did you obtain that information yourself?---Yeah, because I think it correlates with the birth of our, like with the pregnancy, I think. I, I can't remember exactly. I could have asked her as well too.

Well, there's, there's three different dates there and it's the first of the first in each case, '16, '18, '18 and '19. Do you see that?---Yeah. I think they
20 just, I think, I don't even think they're real.

Yeah, it's not a New Year's Day celebration - - -?---Yeah.

- - - in your family, is it, to get immunisations?---Yeah. So I don't think they're real.

So you just made this up, did you?---Yeah.

Okay. If we go to the next page, you ticked all these matters about personal details, availability details, job network agency referees, "The information
30 that I've provided in this employment application is to the best of my knowledge true, complete and correct." You ticked that box, did you? ---Yeah.

But it wasn't true, complete and correct, was it?---No.

And you ticked the other boxes about residency status, pre-employment health questionnaire and banking and superannuation and tax file number.
---Yeah.

40 Okay. And you did that because you wanted the money. Is that right? ---Yes.

And the money was going into an account in your wife's name we looked at last time. You didn't tell her that any money was likely to fall into that account, be credited into that account?---No, I don't think so.

Okay.

THE COMMISSIONER: She would have known about it, wouldn't she?
---I don't remember, to be honest. I, I don't remember if she found out or if
10 she found out later or, I don't remember.

MR ENGLISH: All right. If we go to page 204, there's the licence. Did you photograph that or scan it or how did it make its way to Chandler Macleod?---I think I, no, I took a photo of it, I think.

Okay. And the same, you can see on the next page the passport. Again, you've got your hand there, you took a photograph of that, did you - - -?
---Yeah.

20 - - - and just submitted it with the application form?---Yeah.

Okay. If we please go to page 210, these are the time sheets, and this is the first one in time for your wife, saying she worked a 38-hour week on 10 September 2019. Do you see that?---Yeah.

Who created that, to your knowledge?---I think I gave the passwords to Abdal and he was doing it.

30 So when your wife was registered with Chandler Macleod, she was provided with passwords to log in and enter details about the work she'd purportedly performed, correct?---Yes.

And where did those emails go to? Sorry, where did those passwords go to?---I think to her email address. Like, to that, to that, the, the, I can't remember to be honest now. But I, I, it would have come to an email address that we registered with Chandler.

40 All right, so, well, I think it's - you can see it in the application form. I think it's the - if we go to page 187, do you see about the middle of the page? It's that Yahoo address.---Yes.

And you see that phone number, 320, ending in 3-2-0?---Yes.

Who was using that phone?---That's just, like that's her phone but, like, yeah, that's her phone.

Well, weren't you concerned someone might call her from Chandler Macleod and she'd go, "What's Chandler Macleod about?"---Yeah, I didn't really think of that, I think, when I spoke to Abdal and he said, no, because it will just be, like Abdal's the one that's calling, really, so - - -

10

But they're at separate companies. Abdal's working for Downer and Chandler Macleod is a separate company, correct?---Yeah.

And what about this Yahoo address? Were you concerned that passwords and payslips and things like that might be sent to that address and your wife would see them and say, "What's all this?"---Well, I didn't really think about it at the time but I actually questioned, I think she saw something and she questioned me, and then I just made up something and, and, yeah.

20 So she - - -?---At the time I was just, yeah, I don't know, I don't remember.

So she saw it at the time, you've got a memory of that, she saw something Chandler Macleod related?---I mean, I just said, "No, don't look at any of that stuff. That's all related to me." Because I was using her email as well, like I was using that phone as well. So - - -

Yeah. And did she know you were using her email?---I think so because I was, I'm using it for other stuff as well to - - -

30 Okay. So you told her not to worry when this stuff appeared in her email inbox?---Yeah.

Okay. And did she press you any further than just raising it with you or did she leave it alone once you said don't worry about it?---Yeah, no, I don't think she said anything, like - - -

THE COMMISSIONER: You must have told her, did you, about what it was all about?---No, no, I, yeah. But she's found out now and she's very angry.

40

Well, what - sorry, I'll let Counsel - - -

MR ENGLISH: But you'd taken her to the bank to open an account to receive this money. Remember we went through that last time?---Mmm, yeah.

And now you're saying she noticed emails coming through from Chandler Macleod and she's asked you questions about it.---I don't really remember too if it was the email from Chandler Macleod or something else. I don't really remember.

10

And - - -?---I - - -

She was a signatory to that bank account so she had access to it, correct? ---Yes.

So she must have known at the time that money was coming into that bank account from Chandler Macleod, would you agree?---No, because I don't think she was using that account. That account was just, it was just empty, like, it wasn't being used for anything at that time.

20

Anything except payments from Chandler Macleod?---Payments from Chandler, yeah. 'Cause she had access to my actual account, so she, she would only, like, use, like, that was our family account and the card and everything. That's all she, like, you know, used or cared about.

All right. So if we go back to page 210, the time sheet. So you say Mr Aziz did these himself using the passwords. Can I ask you this, was that the same for Mr [REDACTED], that Abdal would make the time sheets up himself with the password that had been assigned to Mr [REDACTED]?---I, I think so, yes.

30

And did you provide that password again to Mr Aziz?---Yes, I think so, yes.

Okay. If we can go to page 218, this is the pay advice, which I suggest would have been sent to your wife either in the hard copy mail at that address or via the email. Did your wife ever see this and raise it with you, do you recall?---No. No.

Do you recall taking these out of your mailbox at home, these pay advices? ---I, I think, yeah, I, I don't really remember, but, yeah. I would have just deleted or thrown everything in the bin, whatever, I just, would have just, like, yeah.

40

All right. You can see how much. This is the final pay advice. You can see that the gross earnings were \$22,263. Do you see that?---Yeah.

And the net pay was \$12,132. Do you see that?---Yes.

And why was it that this ceased? Why do you understand this to cease, the payments to keep coming through?---Why did it stop?

10 Yeah.---I don't, I don't remember. I don't, I, to be honest, I don't remember. I think it was just, Abdal just said, "That's it."

Well, it was pretty easy money for you to get, wasn't it?---Yeah, I don't remember. I think he just said, he just said, "That's it."

Well, did you ask him why, is there anything else we can do to get some of this money?---Not really. He just, because he had controls over, like, there, so he just said, "That's it," and that was it.

20 Well, then you moved on to invoicing through JTG - - -?---Yes.

- - - when this finished in time? Whose idea was that? Yours or Abdal's?
---I don't remember. I don't think, like, I think it was just collective, like, I think it was just a collective thing.

All right. Just continuing the opportunity to be paid in return for not working or supplying any service or goods?---Yes.

30 If we can go, please, I think we looked at this on the last occasion, volume 2.4, page 1? So here you can see the money comes in from Chandler Macleod and then it's paid to service a home loan. And do you say your wife had any knowledge of how this money was being spent?---No.

Notwithstanding the fact she had access to this bank account?---Yes, 'cause I was putting it straight in to the mortgage.

Yeah, but do you have internet at home?---No, I use, we have, like, like, my wife's phone is our internet.

All right. Did she have an app or something to get in to this Bendigo Everyday Account on her phone?---I think so. I can't remember. Yeah, I think so, yeah.

All right. And what type of phone did she have? Some sort of smartphone?---Yeah, yeah. A smartphone.

10 And so she could have used the app on that phone to just log in to this account and check it at any time. Is that right?---Yeah, but I don't think she had the logins. I don't think, I don't know, yeah.

The logins would have been given to her, though, right?---Yes, yeah.

So any time she wanted to look, she could have. Correct?---Yeah, she could have. Yeah.

20 Okay. Now, so you've kept all this money here and you haven't split any of this to Mr Aziz, 'cause I understand, did you say on the last occasion that Mr Aziz's money came from Mr [REDACTED]'s - - -?---Yeah.

- - - payments?---Yeah.

30 Right. If we go, please, to volume, and you can assume from me, that there's a similar registration process for Mr [REDACTED], but if we can go to volume 4.6, page 1, please? This is one of those spreadsheets again but this time relating to the money Mr [REDACTED] was paid by Chandler Macleod, and you can see below is, if we just scroll one line, one page below, you can see what's been highlighted are cash withdrawals and the Chandler Macleod payments. And so if we just go back to, just so you understand how the spreadsheet has been compiled, if we just go back to page 1 please, you can see what this shows is that in relation to the first payment on the 18th of the ninth, over the following days Mr [REDACTED] took out 85% of that money in cash, and Mr [REDACTED]'s evidence before the Commission is he gave all of that to you, that 85%. Is that correct?---No. The, the agreement, well, I don't know where 85% is from. The agreement was 50%. So he kept, so he had to pay, like, super and then the tax, he had to calculate the tax, and then whatever is left over he kept, like, we did 50%. That's what I remember. I don't know, maybe - - -

40 But this is net pay, right?---Well, what is, I don't know.

Do you know what I mean? Like, the tax is taken out beforehand and the super is paid and then this goes into your bank account.---Okay.

And Mr [REDACTED] says he paid through you, he'd withdraw, and he says on each occasion it was 85% of what he was paid and gave it to you so you could split it with Abdal. What do you say about that?---Yes, but I don't, 85% doesn't sound right but that's what he did. He withdrew it and he gave it to me and I gave it to Abdal.

10 All right.---But I don't believe he took 85% out.

Well, assuming he gave you 85%, he's only left with 15% of the money. It's not a very good deal for him, is it?---Yeah, that's what I mean. It doesn't make sense.

What did you say to him to get him involved in this deal?---I don't really remember. I think it was just, I don't know. I can't remember to, I can't remember the specifics. I can't, it was just a conversation. There's, you know, there's, I can't remember exactly what the conversation was but it
20 would have been something that there's, "We've got this thing if you've interested," and that was it.

But if you just think it through, "We've got this thing where you can get signed up with Chandler Macleod, do not work, get paid, but in return we're only going to leave you with 15% of the money and we're taking 85%." That's not a good deal, right?---Yeah. No, there's no, no. There's no way he was left with 15%. It was fifty-fifty. That's, that's what it was.

All right. And did you tell him that? Did you say, "You can keep 50% of
30 the money." Do you have a recollection of telling him that?---Well, not like specifically, but, yeah, I remember that was what we agreed on because he was worried about the tax, like, and, and later how the tax would be calculated, like, later, and then, yeah, I, yeah. I actually think he actually kept a bit more just to compensate for the tax.

And did he ever say to you, "We shouldn't be doing this. This is dishonest. We're not doing any work. We're just submitting false time sheets"?---No, not that I can remember.

Did he ever say to you, "I'll submit time sheets but only for a couple of weekend hours for some legitimate work"? Did he say, "That's all I'm willing to do," ever to you?---I don't remember. I don't remember.

You must have got the password off him from the time sheets to give to Abdal, correct?---Yes.

Was that right from the outset or did that happen sometime into the scheme?
Can you assist there?---I can't remember. I think it was right from the
10 beginning, like, yeah. I think it was pretty close from the beginning.

So Abdal was manipulating the time sheets right from the start was he?
---Yeah.

And that was agreed upon, was it?---No, it wasn't an agreement. I think it was just, just that's, he said, "No, I've got to," like, it just happened. Like, he's got to do it because he knows the, the hours and stuff.

Mr Aziz had a nickname with you and Mr Nguyen, didn't he?---Yeah, I
20 think so.

Was it the Baker?---Yeah, I think so, yeah.

How did that come about, that nickname?---It was just a name on, on one of our chats, like group chats.

Was it because he's good at cooking things up?---No, yeah, that's like, I think that's what it was. That's what, yeah.

30 So was Abdal - if Abdal's good at cooking things up, was he the driving force behind this or were you or was it joint? What's the story?---No, I think it was joint. Like, I think it was joint.

Okay. All right, if we can look at some of the rail work you were involved in. I asked you some questions on the last occasion about how you'd met Mr Nguyen and Mr Sanber back at the office at Glenfield. You recall that?
---Yeah.

40 When you were working on the South West Rail Link, is that right?---Yep.

And you came up with this idea. You gave some evidence that you'd seen what happened with RPS, and you wanted to get out of your jobs, things were a bit unstable at Transport, and you were looking for some new career opportunities, is that correct?---Yeah, yep.

And did you intend for those to be honest, legitimate career opportunities or was the discussion at the start, no, we'll cook it all the way through?---No, no. No, a hundred per cent.

10 A hundred per cent legit?---Yep.

Okay. Why did you all embark upon getting aliases, then, right from the start?---I don't remember what was the drive behind it, but we were quoting for a lot of jobs, like private jobs. Yeah, I don't remember what. I don't know if it was to make it look more professional, bigger and stuff like that.

When you say you were quoting for private jobs, did you get any other work before the - that is ASN/TRN, did you get any other work before the Glenfield Junction car park job?---No, I don't think so. I don't remember. I
20 don't think so.

Well, you got some - I withdraw that. What other jobs did it get, if any?
---What else did we get?

Yeah, when it was TRN or ASN.---I don't think we got any. We didn't, no, I don't think we got any.

All right. Well, if you were quoting for private work, there was no need to use an alias, was there? You could have just put your own name down.
30 ---Yeah, yeah, I don't remember why that was. Maybe it was just to still hide our identities. I'm not sure. Yeah, I think it was maybe to hide our identities and, and make it look bigger and stuff like that.

All right. And why was there a need to hide your identities?---I, I think, I, I, I don't remember but, obviously, like, I think, well, in case there's like a conflict of interest or, or, like, yeah, or, or we didn't want to, I, I, like, yeah, I, I think it was like more of a conflict of interest.

Well, that might be right for you and Mr Sanber, who are working for
40 Transport, right? Because you're, you were tendering for a Transport job.

But what about Mr Nguyen? He wasn't from Transport, was he?---Yeah.
No, he wasn't.

'Cause if we go to page 17 of volume 16. 16.1. There you can see these are
the cards that were made up in your assigned false names. You were Nick
Sandrusi, is that right?---Yes.

Anthony Lee was Mr Nguyen, correct?---Yes.

10 And Roger Smith was a name for Mr Sanber, is that right?---Yes.

And the phone number that you put with your alias, Nick Sandrusi, that's
your wife's phone number ending in 340, correct?---Oh, okay. I don't
remember that.

Well, it was registered in your wife's name. Did you ever have any
concerns someone might ring her, saying, "Is Nick Sandrusi there"?
---Maybe it was my phone but, like, the SIM card was registered in her
name. I don't think it was, well, it wouldn't have been her phone number,
20 like, her actual phone number.

All right. Did your wife know that you went round using other names?
---No.

Did she know that you impersonated her, from time to time?---No, I don't
think so.

Well, did you ever tell her you did?---No, no.

30 She knew you used her email address, though, didn't she?---She, like, when
I was buying stuff and, yeah.

And if we go to page 20, that's the back of the ASN card, again in that
name, with the same phone number. You see that?---Yeah.

And did anyone ever call you on that number asking for Nick Sandrusi?
---To be honest, I don't remember. I don't think so, I don't remember.

40 Okay. And if we go down to page 22, please? This time, you see Mr
Sanber's got another name, Raj Sandy - - -?---Yeah.

- - - do you see that? Do you know why it was decided to change his alias from Roger Smith to Raj Sandy?---I don't remember.

Okay. Could we go to volume 2.3, page 141, please? This is an email on 20 May 2020 from a Shane Turl to a Nick Shakur about a tractor. It says, "Tractor has arrived. Pre-delivery start tomorrow. Backhoe arrives Monday. Aiming to be ready by the middle of next week." These are items that were, were they delivered to your property?---Yes.

10 Both items, the backhoe and the tractor?---Yes.

Why do you need to use a false email to have tractors and backhoes delivered to your house?---It wasn't a false, like, it was just the email that I had, so - - -

But he's calling you "Nick"?---Yeah, I don't know why I did that. I, I, I'm not sure, to be honest.

20 Well, was there a need for secrecy in the ordering of this tractor and backhoe?---No. Because it was getting it paid by RJS. It was out in the open.

All right. But there wasn't a Nick - was there a Nick Shakur working at RJS?---No.

30 Did you go by the name Nick Shakur at RJS sometimes?---No, I don't, I don't, to be honest, I don't remember. I don't, I, not, yeah, like, I used that email but I don't remember, like, actually doing work for RJS under that name.

Well, you're clearly trying to distance yourself, aren't you, from the purchasing of this tractor, was there a reason for that, and the backhoe? ---No, not really, because he was, it was going to have, it was going to be paid by the company. It was just, I don't know, to be honest, I don't know. I can't remember why. It was, just, you know - - -

40 All right. Well, if we go to page 143 or perhaps 144, start at the bottom of the email, you can see it starts off, it's an email sent to tony@rjsprojects and this Nick Shakur address. Do you see that?---Yes.

Does Mr Nguyen know that you're masquerading as Nick Shakur?---Yeah, he would have known that email address because I was, I, I would have sent him invoices or, like, these type of emails.

All right. And if we go up one? So it says, "Good morning, Tony. Thank you for your payment received." So this is payment that came out of the moneys that you'd earned through RJS at some point. Is that right?---Yeah, this came out of the, the overall company, like overall company profit.

10 All right. And what was the backhoe and tractor to be used for?---For farming. Like, I think originally it was to, like, keep going on the side with the farm and then it was, then I told Tony we can do it, we can get it and I can grow all our, like, their fruit and vegetables for our house, for our families and stuff, and, yeah. That's, that's what we used it for.

All right. Did you use Wickr to communicate with Mr Nguyen and Mr Aziz?---Yes.

20 That's an email software program that self-deletes, is it?---Yes.

Why did you need to employ that means?---Just to, I think Tony, like, introduced me to it. He said, "Oh, use this app. It's a good app." And then it was just to, like, keep the, like, keep everything secret.

Secret from whom?---Just everyone.

30 Tell me, with all this secrecy involved in the business, were you able to trust each other?---well, it depends when, like, what you're looking at. Like, yeah, depends which stages of the, like, which stages of the business we were at.

Okay. All right. Well, maybe we can come to that as we deal with the stages. It we can go to volume 16.1, page 68, please. So here this is an email on 22 August 2014 from TRN Contractors Inquiries, "Hi, Nima. Thank you for the opportunity to price this work for Transport Project Division. Before I can submit a price, can we organise a site inspection on 25 August 2014? I'm free in the morning." And it's from Roger Smith. So do you see that?---Yes.

40 And so that's Mr Sanber using a false name to email you about submitting a price and organising a site inspection. Correct?---Yes.

And he was responding to a request for tender that you had sent out or a request for quotes down below. Do you see that?---Yes.

And you'd sent that to John Dabit of Dabcorp and Daval Group. Is that right?---Yes.

10 All right. So what was happening here? Because you've sent an email to Mr Dabit and then you've got a response from Mr Sanber using his false identity.---Yeah, I'm not sure. I'm not sure what happened here. I know like Raja, like Raja introduced John from Dabcorp. I'm not really sure if he was, yeah, I don't know why TRN is not even in this email.

Well, there's one more email there, tony@croungroupaust.com.au. Who was that?---Yeah.

Who was that?---I don't even remember that.

20 Is that Tony Nguyen at a fake email address?---Yeah, I think so. I don't remember what that is.

So this is just, this is a cooked tender right from the start, is it, for the Glenfield defect car park rectification works?---Yeah, I believe so.

Okay. So do you recall if we just go back to Mr Sanber or Mr Smith's email to you asking for a site inspection, did that happen?---I don't remember, to be honest. Like, I mean, I think someone from Dabcorp would have come out to have a look.

30 And what about from TRN? Mr Sanber must have come out, mustn't he? ---I don't remember. I don't know, I don't remember if it was Raja or Tony that we looked at the price. I don't remember.

All right. And if any of your colleagues were there at the time, you would have deceived them into thinking you'd never met Nguyen or, Mr Nguyen or Mr Sanber at any time before, wouldn't you?---No, well, my colleagues would know who they are.

40 Well, which of your colleagues would know who - if he came out for a site inspection - Roger Smith was?---No, they would have known Raja because it's a - - -

That's what I'm saying, yeah. So you say you think it's unlikely that Raja Sanber came but you think Tony Nguyen might have come, do you?---To be honest, I don't remember.

Wouldn't they recognise Nguyen from the South West works as well?
---Yeah.

10 So do you think none of these people turned up onsite to have a look?---No, because we, we could have just looked at it ourselves. Like not specifically on this day. We could have just looked at it on another day.

Okay. What, when no one was really around?---Yeah.

All right.

20 THE COMMISSIONER: So what were you seeking to do with this correspondence, just create a paper trail, were you, or - - -?---I don't, to be honest, I don't know what happened here. This doesn't, yeah, doesn't seem right the way it's been - - -

You've got correspondence here in alias names, third party emails that you're familiar with. Do you have any explanation for that other than seeking to set up a paper trail that - - -?---I don't, I honestly don't remember because if we wanted to look at the site, we would have just looked at the site. There was no need to send an email requesting a site visit. I don't understand. Like, I don't remember this at all.

30 MR ENGLISH: All right, well, we might go through a few more documents. Might help assist with your memory. Because if we go to page 70, you can see that the original quote provided by ASN Contractors was for \$148,083. Do you see that?---Yes.

Okay. And then if we go down to the next page, we see an issue paper prepared by you on 15 September 2014. Do you see that?---Yes.

And you identify what the defects are and the visible effects of the defects. Do you see that?---Yes.

And then if we go down to page 72, please, you can see that three companies have quoted, being BH Civil, Dabcorp and ASN. Do you see that?---Yeah.

And they were all linked to you or Mr Nguyen, correct, or Mr Sanber, those companies?---Yes.

10 So this is an example of collusive tendering, whereby an agreement had been reached for two to be a dummy bid and for the award to go to ASN Contractors, is that right?---Yes.

Okay. So just pay attention if you could, please, or keep in mind that figure of \$148,083, and you say - if we go to the next page - that this is approved. Do you see that? It's got your signature there.---Yes.

So you've recommended that this be approved. And of course, you never disclosed to any of your colleagues that you were a silent partner in ASN, did you, ASN Contractors?---Yes.

20 You didn't, did you?---Yeah.

All right. And then if we can go to page 139. Then you can see this document, Transport Project South West Rail Link Scope of Works, Glenfield Multi-Storey Car Park Defect Rectification, authored by you. Do you see that?---Yes.

30 And if we, and do you know, was this linked to that quote provided for 148,000 or is this something different?---I don't know, like, what is, what is it?

If we go to the next page, you can see here, drainage to lift pit. Do you see that?---Yeah.

Was there a second component to this job that came on?---No, I, I don't understand what you mean, no, I don't, I don't remember, I don't know what - - -

40 All right. Because if we go to page 308, we're now in November, so we were in September before and now the budget's gone up to 234,000. Do you see that?---Yeah.

And it says the tender submissions were received from again those same three tenderers, but this time, there's a budgeted cost of 218,000, not 148,000. Do you see that?---Yes.

And the recommendation is to approve ASN for that amount?---Yes.

10 So how come it was that they'd put in, ASN had put in a quote for 148,000 which you'd provisionally approved and then all of a sudden, it bumped up to, it looks like a larger scope of works, with a revised quote, a new revised quote of 218,000?---I, I don't remember, honestly, I don't remember. But did you say revised scope? So they, the - - -

Well, I'm asking you, that's what I'm asking you.---No, I don't remember.

'Cause if we go down to page 309, this is the one that's been signed by everyone, you see? Do you see that, Mr Abdi?---Yeah.

20 This is the issue paper that's been signed by everyone. Do you see that? ---Yeah.

And this time, it was prepared by Amy Wong, not you?---Yeah.

Did something happen there that changed this scope or the issue papers?---I don't remember, like, I can't recall. I don't know.

All right. Well, if we go, please, to page 310? Here's the Project Procurement Tender Assessment Committee report?---Yeah.

30 Is this something that you often participated in, in your time at Transport? ---No, I think, like, all-up, I'd been there, I think, like, I've done it twice. There's, I think this was my first one.

All right. Well, did you want to do a good job as being part of that committee?---Yes.

And you wanted to impress your colleagues as a good worker?---Yeah, I guess so.

40 Well, if we go to page 312? Here, you're involved in ranking the three companies, each of whom you knew had involved in a collusive

arrangement for this bid and ASN, of course, being a company that you were a silent partner in. Correct?---Yes.

If you wanted to be a good employee and colleague, why didn't you tell your fellow committee members that this was a rigged tender?---Yeah, that's, yeah, it was, it was just stupid, like, it was, yeah, just - - -

Did you see at this point in 2014 that public moneys were just available to be obtained by you for whatever purpose you wanted?---No, not really.

10

Did that realisation only come later when Abdal came up with the ideas in 2019 for Chandler Macleod and then 2020 for JTG?---(NO AUDIBLE REPLY)

You're shrugging.---I, I didn't really think about it like that.

If we go down to page 321, you can see the conclusion, "In conclusion the TAC agrees and recommends ASN Contractors as the preferred tenderer." Your signature is missing there but if we go to the next page it's there. Do you see that?---Yes.

20

And I believe in relation to this you made a declaration about a lack of - here we go. If we go to page 320. In making that signature there, point 8, "All members of the TAC declared they'd been allowed enough time to assess each applicant's submission or personnel involved with the tender. I've completed a statement of association and interest and confidentiality deed poll and there are no outstanding issues."---Yeah.

30

So you signed that attestation there about probity. Did that cause you any level of discomfort?---I can't recall, to be honest. And you said at 8.1, "By signing this report each member confirms they're not aware of any breach of confidentiality, conflict of interest, have followed the evaluation methodology and not aware of any unresolved probity issues." Did you see that?---Yes.

I thought you were wanting on your evidence to be a good employee at this stage.---Yeah. Look, yeah. I just didn't think properly.

40

But you did think properly, didn't you? This was part of something you wanted to do which was to deceptively obtain public funds?---I didn't think of it like that. At the time it was just about starting a company and building

a reputation and, and then quitting our jobs and, and, and carrying on full time.

But do you know anyone else apart from yourself, Mr Sanber and Mr Nguyen who've started a company using false names?---No, I don't know.

So it wasn't an endeavour in those terms, was it, an honest endeavour in those terms?---No, it was. Like, that was the original, that was the original idea.

10

I suggest to you that's not the case and in fact this was always viewed by you right from 2014 as an opportunity to dishonestly make money. What do you say about that?---No, I don't agree.

All right. And then at 8.1 under the acknowledgment, they're all false statements, aren't they? Let me start again, that you were not aware of any breach of confidentiality was a false statement, correct?---Yes.

20 That you were not aware of any conflict of interest was a false statement, correct?---Yes.

And that you had followed the evaluation methodology was a false statement, correct?---Yeah, I guess so.

And that you were not aware of any unresolved probity issues. That was a false statement, correct?---Yeah.

30 And you made those statements all with a view to obtaining money from these works, correct?---Yes.

Is that a convenient time, Commissioner?

THE COMMISSIONER: Yes. All right. We'll resume at 2 o'clock.

LUNCHEON ADJOURNMENT

[1.03pm]