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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION RICCO

Reference: Operation E14/2586

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 11 MARCH 2016

AT 10.10AM

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, Mr Overall.

MR OVERALL: Commissioner, I just wish to report on the situation regarding Mr Goodman's medical condition.

THE COMMISSIONER: Yes.

10 MR OVERALL: At 10.40 last night he attended Liverpool After Hours Clinic and was attended to by a Dr Seeto, S-e-e-t-o, who re-bandaged the, the, where he – re-bandaged his foot to try and prevent the bleeding. The reason he attended is because his foot was bleeding quite profusely I am instructed.

THE COMMISSIONER: Ah hmm.

20 MR OVERALL: He has, he is attending as we speak to the Emergency Department at Liverpool Hospital and we will – as soon as we know what the situation is, hopefully he'll be able to attend sometime after the luncheon adjournment but we will keep the Commission fully informed of any developments.

THE COMMISSIONER: Thank you. Thank you, Mr Overall.

Mr Thangaraj.

MR THANGARAJ: Just in relation to that, Commissioner, given that the media reports keep referring to this, I should say on the record that I regard this as a legitimate appointment and perfectly understandable.

30 THE COMMISSIONER: Oh, yes. Well - - -

MR THANGARAJ: It's not a delaying tactic, I don't regard it as a delaying tactic at all.

THE COMMISSIONER: Yes, well, I don't think anyone's taken that view, it's pretty obvious that there is a problem.

MR THANGARAJ: Yes.

40 THE COMMISSIONER: Well, all right, well, we'll meet Mr Goodman's convenience with regard to his medical appointments as best we can, yes.

MR THANGARAJ: So what's proposed then today is I'll call Mr Hussein. Ms Marshall hasn't had sufficient time, although she's making progress with respect to the invoices, we're hoping to shortcut her evidence by being able to provide a bundle of documents which it's agreed are false.

THE COMMISSIONER: Right.

MR THANGARAJ: We're doing that and independently she's doing that, and so she'll be a shorter witness than expected, but that won't be today. Her lawyer's also not available today. So I'll call Mr Hussein and then we'll adjourn till 2 o'clock and hopefully Mr Goodman will be available then or shortly after.

THE COMMISSIONER: All right. Thank you.

10 MR THANGARAJ: Mr Hussein.

THE COMMISSIONER: Just come forward, Mr Hussein.

Mr Patterson, Mr Patterson, you've explained to Mr Hussein the effect of a section 38 order?

MR PATTERSON: Yes, I have, Commissioner.

20 THE COMMISSIONER: And he wishes to take advantage of it?

MR PATTERSON: Yes, he would be obliged if you would make that order.

THE COMMISSIONER: Thank you. Thank you.

MR PATTERSON: And I seek your leave to appear for Mr Hussein.

THE COMMISSIONER: Yes, that leave is granted, Mr Patterson, thank you.

30 Just take a seat Mr Hussein.

The section 38 order protects you from the use of your answers against you in any future civil or criminal proceedings but it does not protect you if it should be found you've given false or misleading evidence to the Commission, because in that event you could nonetheless be prosecuted based on your answers for an offence under the ICAC Act. Do you understand that?

40 MR HUSSEIN: Yes, I do.

THE COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

**PURSUANT TO SECTION 38 OF THE INDEPENDENT
COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT
ALL ANSWERS GIVEN BY THIS WITNESS AND ALL
DOCUMENTS AND THINGS PRODUCED BY THIS WITNESS
DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS
PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN
GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO
NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT
10 OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR
THING PRODUCED**

THE COMMISSIONER: Do you wish to be sworn or affirmed, Mr
Hussein?

MR HUSSEIN: Yes.

THE COMMISSIONER: Sworn?
20

MR HUSSEIN: Yeah.

THE COMMISSIONER: Can the witness be sworn, please.

THE COMMISSIONER: Thank you. Just take a seat.

Yes, Mr Thangaraj.

MR THANGARAJ: Mr Hussein, you know Marny Baccam?---Yes, I do.

10 And how do you know her?---I know her from the club.

And as a result of meeting her you started doing work for Botany Bay Council?---Yes.

And you did legitimate work for Botany Bay Council?---Yes.

You also did private work for both Ms Baccam and Mr Goodman?---Yes.

20 Mr Gary Goodman that is?---Yes.

And that private work was billed on a – sorry, your company is Al-Furat?
---Yes.

And Al-Furat would send invoices to Marny Baccam?---Yes.

And some of your invoices included or at least one of your invoices included private work that you had done for Mr Goodman and Ms Baccam?
---Yes.

30 And it wasn't described as work for Mr Goodman or Ms Baccam, was it?
---No.

It was described in some other generic way?---Yes.

All right. And were you ever asked to inflate an invoice?---Yes.

40 What were you asked to do?---Just to increase the limit for the job I had done and either do the private work for them or give them the rest of the money so - - -

Right. And on more than once occasion you provided cheques to Ms Baccam?---Yes.

And that was as a result of putting in this false invoice?---Some of them, yes.

And what are the others?---I did have some debts with her, I was - - -

You owed her some money anyway, did you?---Yes, yes.

Right. So how much did you owe her?---Ah, I borrowed money from her in a few occasion, like you know, 5,000, 4,000, so - - -

Right?--- - - - it wasn't like entitled to say I was owe her this much but this was up and going.

10 So does that mean that some of the – that the cheques that you paid reduced the debt?---Yes.

So you put in a false, you put in more than one false invoice to Council, didn't you?---Yes.

And part of that money went to Ms Baccam?---Yes.

And that money reduced your debt to her?---No.

20 Well, what happened then?---The money I paid her back out of my money the cheques - - -

Right?--- - - - was for her debts, but the invoice moneys I, whatever it was, I am not entitled to it, I give it to her.

Yes. I understand that you gave it to her - - -?---But it wasn't reducing debt, the debts of, of my personal loans.

30 Well why were you agreeing to get Council money back to her then if it wasn't reducing your debt?---Because I done some legitimate work for them and I was only, the deal with her is only I was taking whatever was entitled for my work done and the rest go for them.

Well you say that but let's be clear. Let's say you did \$2,000 worth of work. You're putting invoices to say four or \$5,000?---Yes.

You returned you say the balance, the difference to her, right?---Yeah.

So you agree that you've billed Council inappropriately?---Yes.

40 And you say that you returned money to her?---Yes.

But at the same time you owned her money?---Not, not exactly.

But did you owe her money at the time?---Sometime no.

Okay. Sometimes you did?---Sometime but I did, but that money did not reduce my debts with her.

So you're saying that you gave her money when you owed her money?
---Yes.

- - - but that did not reduce that debt?---No.

So it was simply a way of taking money from Council and giving it to her, was it?---Exactly. But it was not affecting my personal money or my personal loan to her, no.

10 All right. Well, there are two things you did. You got Council to pay for private work that you owed money for?---Yes.

So you weren't entitled to bill Council for work you'd done privately for them, were you?---No.

So you got the benefit of that money?---But I done the work, yes.

Yeah. But no, but you've done the work for someone else. You haven't done the work for Council?---That's right.

20

So Council paid you for money other owed you?---Council paid me money for the work I done for other people?

Yes?---Yes.

All right. And you also billed Council for money you should not have billed them for, you say to give to Marny Baccam only?---I did not bill the Council to pay the money back to her.

30 No, not the debt, I'm saying you billed extra money to Council so you could give Marny back her money?---Yes.

And did you keep any money for yourself?---No.

How many false invoices do you think you put through?---If I recall, maybe three or four.

Okay. And do you remember how often you did that?---Not very often.

40 Now you've been asked to read the evidence of Ms Baccam that she gave about you weren't you?---Yes.

And you've read that evidence?---Yes.

And you were asked to have regard to the telephone recording I played to her about this?---Yes.

And you've read that?---Yes.

She says that you and her shared the proceeds of the inflated invoices or the false invoices?---Yes, I did see that, yeah.

Yeah. And do you agree with what she said?---No. I was only taking the money as I was entitled for the work I done for that particular invoice. I done private work for her, she done some work for the charity. I done some artwork and some printing and some tickets. They haven't paid me and when I asked them to pay me they actually asked, she asked me to, to send her the bill. So I only take 1,000, I think it was 100 my, my entitlement and the rest went to her by cheque and I give, and I do have the evidence of it.

Yeah. No, I understand that there was a cheque. No, I understand that there was an invoice for 3,700 where your work was 1,700 and you gave her a cheque for 2,000?---It was 3,300.

Yeah. And then there was – that was one occasion and then on 20 August, you gave her \$2,000?---Yes.

20 A \$2,000 cheque?---Yes.

Which was the difference between you say your work and the invoice?
---My work it was about 1,100 and I give her \$2,000. What I keep was \$1,380.

Right. Why did you bill Council for work that was done privately for Mr Goodman and Marny Baccam?---Because that what's they asked me for.

30 So what?---I didn't know the work actually belonged to Council or belonged to theirselves. Because I do work for a lot of Councils and some of the community activities are sponsored by Local Councils and I send the bill to the Councils.

But some of the work included racing car business cards, didn't they?
---Only one occasion I print some posters for Gary and that work they never paid me for it.

But did you bill for it?---No.

40 All right. Well, and what about the business cards for Ms Goodman, I mean Ms Baccam, you printed those and you were paid for those, weren't you?
---Yes.

And so that couldn't have been Council work, could it?---Well she asked me to send her the bill and I did.

Yeah. Okay. Then why did you also then agree to inflate your invoice and give her the money? You must've realised that she was stealing from

Council?---I was under, under pressure of, of, of I did have some loan to her and I couldn't refuse it.

All right. But you say you did not pay down the loan with that?---No. But when she - - -

So why would that be?---When she did ask me something to do and I have to do it because as I said I was under the influence of her debts.

10 All right. Nothing further.

THE COMMISSIONER: Yes, Mr Moses.

MR MOSES: Thank you, Commissioner. Sir, I act for Botany Council. Can the witness be shown the following document which is volume 32, pages 7-10 of the ICAC brief. Sir, this appears to be an email from a lawyer called John Fasha to you at Furat News in relation to the setting up of a company called Ari Landscapes?---Yes.

20 Okay. And have you seen this email and the attachment before?---Yes.

Okay. And are you aware that in these proceedings Ms Baccam and Mr Goodman it is alleged set up this company in order to defraud the Council of a significant amount of money?---No.

Are you aware of that allegation in this case?---No.

30 Okay. Can you explain to the Commissioner how you came to be involved in this setting up of the company, why were you being sent by the lawyer Mr Fasha documents in relation to Ari Landscapes in 2014?---Mr Fasha's offices is near my office and she did ask me if I know somebody who could register a company for them and I recommend Mr Fasha as a business and one day she called me and she asked me if I could go and send her to Mr Fasha and to bring her registration paper and to scan it to her or email it to her because she wanted to put a tender to the Council and I went to Mr Fasha and he send me the copy of the certificate and I forward it to Marny.

40 Did you know what the company was going to be used for?---As far as I know it was just for landscaping. She, she wanted to started to a new business and I didn't know anything to do that one with the Council.

That's what she told you?---No, she, she didn't tell me.

You made that assumption, you assumed that. Is that right?---I can't remember if, if she told me anything about the company.

Okay. Now when did you first meet Ms Baccam?---Three year, about three years ago maybe.

And apart from liaising with Mr Fasha in relation to the setting up of this company for Ms Baccam, Mr Fasha also had dealings with you in relation to the question of visas and visa refusals in respect - - -?---Yes.

- - - of friends of Ms Baccam. Is that right?---Yes.

10

And, Commissioner, if the witness could be shown a folder. It's an additional documents folder. It's behind tab 4 is the document?---I seen it.

THE COMMISSIONER: Thank you.

MR MOSES: In June, 2014 you were also receiving correspondence from the same lawyer in relation to notifications of refusals for a visitor visa of friends of Ms Baccam. Is that right?---Yes.

20

And why were you doing that?---In a couple of occasion Ms Baccam she did have some problems and she did ask me to find a lawyer for her. That's why I recommend Mr Fasha as I knew him and, and that, on that occasion she didn't understand what's written in the refusing letter and she wanted somebody to explain it to her if she got the right to appeal for the Immigration Department decision and that's why I forward the, the letter to Mr Fasha, Mr Fasha to explain for her what's, what's actually the reasons for the rejection of, of the visa.

30

Okay. So let's go back to the start of the question I asked you. Ms Baccam, in terms of when did you first meet her you said?---About three years ago.

Okay. Did you meet her through Mounties where - - -?---Yes.

- - - you both would gamble there on poker machines and the like?---Yes.

Is that right?---Yes.

Yes. And is that where you first came to loan money from her - - -?
---Yes.

40

- - - in respect of your gambling?---Yes.

Yeah. And your, the company, Al-Furat, that's an Arabic newspaper. Correct?---Al-Furat, it's, this is a printing business, yeah.

Well, isn't Al-Furat - - -?---Yes.

- - - it says it's Australia's national Arabic newspaper?---Al-Furat is a newspaper but the works I done is we got a printing business.

Okay. Well, explain to the Commissioner in terms of your printing business - - -?---Yeah.

- - - what does the printing side of the business do, Mr Hussein?---(No Audible Reply)

10 Tell the Commissioner what you do?---We do printing for all kind of the stationery, business cards, books, stamps, wedding cards, invoices, anything to do with the printing.

Anything - - -?---Signs.

Anything to do with printing?---Signs, yeah, graphic design.

Graphic design. Okay. Can you go behind tab 1 of the white folder that you were shown by the Commission just a short while ago. This is an
20 invoice for 2 May, 2014, that makes reference to traffic signs, external signs and internal signs. Do you see that?---(No Audible Reply)

It's the white folder that you've been given, Mr Hussein?---Yeah, yeah, I've got two white folders here, one of them.

So, sir, it's the one that you just have your hand on now?---Yeah. And the invoices you're talking about?

30 So it's behind tab 1, Mr Hussein. Sir, it's behind tab 1 of the folder that you've got?---Yeah.

Do you have that?---Yeah.

Okay. This one is an invoice that is sent to Ms Baccam on 6 May. Do you see that?---Yes.

And attaches Airport Business Unit. Do you see that?---Yes.

40 Is this a false invoice, sir?---That I'm looking to the wrong one.

It's behind tab 1?---Yeah, behind tab 1 is only - - -

Commissioner, may I have leave to approach the witness just to point out the right document if I could? He seems to be having some trouble?---Tab 1 is this one and it's first email.

THE COMMISSIONER: Are there numbers appearing on the tabs, Mr Hussein?

MR MOSES: Yeah, there are, he's got the folder in front of him.

THE WITNESS: Yeah, well, that's what I'm looking, there's nothing there, there's no invoice.

UNIDENTIFIED SPEAKER: This one?

10 THE WITNESS: Yeah, but he's saying, he's saying Business, Airport Unit Business, there's nothing there say Airport Business Unit.

MR MOSES: Yes, sir, go to the covering email. The associate's in front of you. If you read the email, you've got the attachment, Airport Business Unit pdf.?---Yes.

Do you see that?---Yes, yeah.

You've got that?---Yeah.

20 Okay. So we're agreed that the email that was sent on 6 May, 2014, had an attachment, Airport Business Unit. Do you see that?---Yes, and the email, yes.

Okay. You've got that?---Yeah.

Okay. Well, let's proceed with the question then?---Yeah.

The attached invoice, is that a false invoice, Mr Hussein?---Yes.

30 Thank you. And is this one of the false invoices that you created, you say, in order that what, you repay a loan back to Ms Baccam that you owed her in respect of the gambling money that you were taking from her?---(No Audible Reply)

THE COMMISSIONER: Could I just clarify one thing. When you say it's a false invoice, is it wholly false or is it partly false in that the amount is inflated?---I can't recall that, Your Honour, but I think I believe is partly a false invoice because - - -

40 Partly false?---Yeah. Never I sent an invoice without doing any jobs.

Right.

MR MOSES: Okay. Well, can you - - -

THE WITNESS: I don't have the details in the invoice to say exact to remember what kind of genuine work I done for them on this particular invoice.

MR MOSES: Okay. Well, do you just want to just explain, the Commissioner asked you a specific question in relation to this matter and you said that in effect some of it related to work that you did?---Yes.

Correct?---Yes.

10 And rather than waste your time and everybody's time, if I were to ask you the question in relation to what part of it is true and what part of it is false, can I assume that your answer would be, I don't know sitting here today? ---Well, because I don't have it in the invoice, the details, I cannot recall this.

No. Well, what, do you have a special document back at your office that tells me which is the truth and which is not the truth?---No, I do have the same invoice.

20 Okay. So if we cut to the chase, if I show you invoices, and I can show you a few - - -?---Yeah.

- - - you, you would not be able to tell the Commissioner sitting here on your oath what parts of the invoice are false and what parts of the invoices are true. Correct, sir?---I can't. I have to see then I could be - - -

So do you want to go through the invoices, because we can and you can have a go?---(No Audible Reply)

Do you want to go behind tab 2 for me?---Yeah.

30 This is another airport business. PDF, do you see that and the covering email?---Yes.

Okay. Go to the second one?---Yeah.

Land marking and paint. Where was the land marking and paint done? ---This, this part is false.

That's false?---Yeah.

40 Okay. Draft and artwork, what's that about?---This one is a graphic design I done for them.

What did you do for them, sir?---Probably - - -

Because remember your on oath here to the Commissioner. Can you remember sitting here today what you did or are you just making an assumption?---No, I'm not making an assumption.

Okay. Will you tell the Commissioner what you did?---I done some artwork for Marny Baccam doing business cards and some folders for a kind of study with TAFE or something like that. I just - - -

Does that say business cards there?---Yes.

Does it?---Yeah.

It says draft and artwork?---Yes.

10

It's not referring to business cards, is it?---I, I done the draft for her for business cards for a folder and I print them as well.

For whom?---For Marny Baccam.

No, not for Marny Baccam, was it for Council-related business?---No. It wasn't related to Council.

Was it?---No.

20

It wasn't related to Council?---No.

So it's a false entry too, correct?---Yes.

And what about the next one, parking sign?---It's false.

That's false too?---Yeah.

Okay. So the whole invoice is false, correct?---Yes.

30

Thank you. Now we can keep going through these invoices if you want. We can do it the hard way or the easy way. Are you able to go to tab 3 - - - ?---Yes.

- - - and we'll do the same for you. This is an email on 17 December. Again airport business PDF. Do you see that, sir?---Yes.

Go to the next page, there's an invoice there for \$7,304, do you see that? ---Yes.

40

Now do you want to go through each of those entries and do you want to say on your oath now which is false and which is true?---Yeah.

Or do you want to say and accept that this is a false invoice?---No. This one, the last, the last photograph of it which the - - -

The Christmas card 600?--- - - - Christmas card. I done that job for the Council.

You did that job for the Council?---Yes.

Okay. And what about the rest of them?---It's false.

So 3,900 false, interior signs?---Yes.

Draft and artwork false, yes?---Yes.

10 Installation of sign, false, correct?---Yes.

Now the money that you were getting from this or these false invoices, did you keep all that money?---No.

Who did you give the money to?---Marny.

And why were you giving the money to Ms Baccam?---Because she'd asked me for it.

20 Because she asked you for the money?---Yes.

And were you also issuing false invoices to repay back a gambling debt that you had with her?---No.

You said to the Commission not a long while ago that you did, so - - -?
---I did not - - -

- - - what's the evidence? Is the evidence, I'm sorry?---I did not use that money to pay, pay off my debts.

30

Okay. Where did you get the money to pay off the debts?---From my own personal money.

Your own personal money?---Yes.

Well, I'm going to show you the bank account records of Al-Furat. By the way, can you help us. How many bank accounts does Al-Furat have?
---One.

40 Only one?---Yes.

Okay. So if there are invoices issued with different bank account details on there, you can't help the Commissioner as to who was the recipient of those bank accounts, is that right?---Yeah.

Mr Hussein?---Yes.

I'm asking you a question. If I was to tell you that there were three accounts on invoices that were issued by your company to Council, three different bank accounts, you couldn't help the Commissioner to tell her where those bank accounts were, is that right?---I only have - - -

Do you want me to show you?---I only have one account for my business.

10 Have you always had the same account or have they changed it?---I did have, from the start we opened one account with the ANZ then that account was closed. And one was opened the National Bank and that's all the accounts we done.

Okay. Well I might show the documents then?---Yeah.

So we can be clear about this. The Al-Furat invoices that have the National Australia Bank account details on it. I'm going to show you one which is volume 32, page 20. So volume 32, page 20?---Yeah.

20 What bank account is that one?---(No Audible Reply)

Sir?---Page 20?

Yeah. Go back to page 19. Is that the only bank account that your company had with the National Australia Bank or was there another account?---Well, Al-Furat only had one account with that, with the National Bank.

Okay. And do you have a personal bank account?---Yes.

30 Is that with the National Australia Bank?---Yes.

And were all the invoices that were issued by Al-Furat going into the NAB bank account?---Yes.

That's your evidence?---Yes.

Okay. Can you go to page 20?---Yeah.

40 All these withdrawals, there's money coming in from Botany Council. There's money coming in from Botany Council and then there's all these withdrawals at Mounties that occur. Is that you withdrawing the money? ---Yes.

And are you giving that money to Ms Baccam?---Yes.

How did you give the money to her, was it at Mounties where you were gambling, you would take money out of the business account and hand it to Ms Baccam? I'm just trying to understand your evidence, sir. How do you – in order for there to be - - -?---I done both of them. Sometime - - -

- - - a giver and taker, when did you give the, the stolen money to Ms Baccam?---Sometime I give her the cheque, sometime I give her the cash.

Well, when you give her a cheque was it a cash cheque or was it cash?---A cash cheque.

So cash cheque?---Yes.

10

And sometimes you would withdraw money from the ATM at Mounties and give it to her?---Yes.

Okay. And then if you go to page, behind tab 4. Withdraw that. Volume 32, page 25. This is money coming in from Council \$5,676. Do you see the deposit?---(No Audible Reply)

Page 26. Do you see money coming in?---(No Audible Reply)

20 Sir?---I'm looking through it.

Okay?---Yes.

And then the next day there is a series of withdrawals at Mounties?---Yes.

On the same day of the 29th and the next day at Mounties?---Yeah.

Like significant amounts of cash being withdrawn - - -?---Yeah.

30 - - - from an ATM?---Yeah.

Usually late at night?---Yeah.

Close to midnight - - -?---Yeah.

- - - on some nights?---Yes.

Was that money that you say you were giving to Ms Baccam that had been stolen from the Council or was that money that was being used by you?

40 ---Some of them would be used by me. I can't recall this.

Okay. But your normal practice would be that when money would come in from the Council subject to a false invoice you would go and provide money to Ms Baccam?---Yes.

Is that right?---Yes.

And would she ask you to prepare the false invoices or - - -?---Of course.

How would you know what to put on the invoice?---She asked me to - - -

Yeah?--- - - - to do it.

Okay. And did she tell you where to send the invoices, that they should only be sent to her?---Yes.

10 Did you ever meet Gary Goodman?---Just in the club.

Just in the club?---Yes.

So he would, would he gamble there with you as well?---I don't have any personal contact with him but, yes, he do.

Yeah. So you met him at the club?---Yes.

Yeah. What about Mark Goodman?---I don't know him.

20

You don't know Mark Goodman?---No.

Okay. When did start putting in the false invoices, you started doing work for the Council in 2009, when did you start putting in the false invoices you say?---I can't remember.

You can't remember?---No.

And you say it was suggested to you by Ms Baccam?---Yes.

30

Is that because at the time you were having money problems too?---Yes.

Okay. Thank you, Commissioner, I have no further questions.

THE COMMISSIONER: Thank you.

MR MOSES: Thank you.

THE COMMISSIONER: Any other questions of Mr Hussein? No. Yes, Mr Thangaraj.

40

MR THANGARAJ: Mr Hussein, these invoices that you've been shown, it's the first time I've seen them so I want to put this to you. As a result of those invoices and your evidence I want you to understand that I'll be submitting to the Commissioner at the end of these proceedings that Marny Baccam told the truth about this evidence so firstly, you kept some of this money yourself. Right. I want you to understand that I'm going to submit

to the Commissioner that you kept some of this money for yourself. Do you understand that?---What do you mean I kept some money myself?

MR THANGARAJ: That you kept some money improperly from the – I'll go back a step – that you firstly deliberately falsely invoiced Council, right, you've already accepted you did that?---Yes.

Some of those invoices were completely false, right?---Yes.

10 And of that false invoice proceeds, you used some of the money to reduce your debt to Marny Baccam, right, and that you kept some of it for yourself and that you, all right. Do you understand that?---Yes.

Okay. Have you got anything else you want to say about Botany Bay Council?---No.

All right.

20 THE COMMISSIONER: Mr Moses, do you want to tender that folder?

MR MOSES: Please, Commissioner.

THE COMMISSIONER: That's Exhibit R52.

#EXHIBIT R52 – FOLDER OF SIDDICK HUSSEIN DOCUMENTS

30 MR MOSES: Thank you, Commissioner.

MR THANGARAJ: Commissioner, that's the end of this witness.

While everyone's here, in case some people – in case we don't come back today, could I propose that we sit extended hours next week, Monday to Thursday, 9.00 to 5.00?

THE COMMISSIONER: I think we're going to have to catch up some time so I would approve that request.

40 Mr Hussein, you can step down, you are excused.

THE WITNESS EXCUSED

[10.46am]

THE COMMISSIONER: So at this point we should adjourn to 2.00pm. Is that the plan, Mr Thangaraj?

MR THANGARAJ: Yes.

THE COMMISSIONER: All right.

MR THANGARAJ: If we hear in the meantime that Mr Goodman can't come this afternoon, we'll email all the representatives but we'll have to probably come back at 2.00 anyway formally, if the Commissioner thinks.

10 THE COMMISSIONER: Yes, yes, I think we will. Well, if for no other purpose than we should inform everyone of the order of witnesses next week.

MR THANGARAJ: Yes.

THE COMMISSIONER: Anyway, we'll cross that bridge when we come to it.

We'll resume at 2 o'clock, thank you.

20

SHORT ADJOURNMENT

[10.46am]