

YANCEYPUB00166
23/06/2015

YANCEY
pp 00166-00218

PUBLIC
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION YANCEY

Reference: Operation E13/1916

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 23 JUNE, 2015

AT 2.04PM

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, can we have Mrs Abouchacra - - -

MR BRADY: Just before that occurs, your Honour, sorry, Commissioner, just an application in relation to another matter - - -

THE COMMISSIONER: Yes.

MR BRADY: - - - and that's from Mr Chalmers - - -

10 THE COMMISSIONER: Mr Chalmers, yes.

MR BRADY: - - - in relation to the 23 April transcript and allowing him access to that on behalf of his client.

THE COMMISSIONER: And 23rd April, yes, I vary the order made on 23 April in relation to the evidence of – it was Fatima Hammoud?

MR BRADY: It was.

20 THE COMMISSIONER: And allow access to that transcript to Mr Chalmers solely for the purposes of his representation of Ms Hammoud.

THE SUPPRESSION ORDER MADE IN RELATION TO EVIDENCE GIVEN ON 23 APRIL 2015 BY MS HAMMOUD IS VARIED TO ALLOW MS HAMMOUD'S LEGAL REPRESENTATIVE TO HAVE ACCESS TO THE MATERIAL

30 MR CHALMERS: Thank you, Commissioner.

THE COMMISSIONER: Thank you.

MR SILVER: Commissioner, may I raise one small thing?

THE COMMISSIONER: Yes, Mr Silver.

40 MR SILVER: I have instructions to seek leave to represent Mr Steve Honeywell who's the executive director of the Asset Management Services, Department of Justice.

THE COMMISSIONER: Thank you.

MR SILVER: We don't perceive any possible conflict at this stage. If one arises or we suspect it to arise we'll notify you immediately.

THE COMMISSIONER: Of? A copy of?

MR SILVER: No, if there's a conflict or the possibility - - -

THE COMMISSIONER: Oh, if there's a conflict, no, no, I couldn't – sorry, Mr Silver, I couldn't hear you. I couldn't imagine that there would be in the circumstances but by all means if you can identify one let me know but for present purposes you have leave to appear for Mr Honeywell as well.

MR SILVER: Thank you, Commissioner.

10 THE COMMISSIONER: Yes, if we could have Ms Abouchacra back in the witness box please.

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Yes, thank you, Commissioner.

10 I was just asking you before lunch about the meeting that you had at Cowra
on – would you excuse me just one moment, I'm so sorry, on 4 April I think
it was, 5 April, can I have you taken to 1616. Now that's a meeting that you
attended?---Yes.

That was on a Friday, 5 April?---Yes.

That was a work day?---Yes.

That is for your job as a teacher?---Yes.

20 And is it right that you in fact took on that day another day of sick leave?
---It may have been sick or FACS, one of the two.

Right, let me just confirm for you so we can be clear on that, 3081, do you
see there 5 April, 2013 there is one day in fact of sick leave, do you see
that?---Yes.

That's the day that you took for sick leave for going to do the site meeting at
Cowra?---Yes.

30 You weren't sick?---Yes.

The same applies as what applied before that is you didn't tell the
Department the truth?---Correct.

You would in fact accept that you lied to them?---Correct.

Now, I was going to what you actually then did for the Cowra project.
You've provided a risk assessment, right?---Can we go back to the - - -

40 What would you like to go back to?---No, no, nothing.

Well, let me, let me do this if I can. Can I go to 1622. That's the bill that
we were talking about, so the tax invoice of 17 April, 2013. Do you see
that?---I wasn't – I was meaning the minutes but, yeah.

Sorry?---I was meaning the minutes when I was saying go back to but - - -

Okay. Can we go to in those circumstances 1617. In fact, 1616 is the start.
Now, that's the meeting that you went to on 5 April - - -?---Yes.

- - - 2013?---Yes.

You then prepared a risk registrar, that's right isn't it?---Correct.

And let me take you just to confirm that to 1632. That's what you prepared?---Correct.

10 And that wasn't it the site visit, the preparation of the minute – meeting minutes, the risk register preparation and incidentals all included in that bill or tax invoice on 17 April, 2013. That's at 1622. See that?---Correct.

Right. After that what did you do on the Cowra project?---I can't remember.

Did you go to a further meeting on 2 July?---I can't remember.

20 Did you fly via Orange to go to Cowra on 2 July for a further meeting?
---Honestly I can't, can't remember 100 per cent.

I'll take you to page 1641. Do you see that Cowra Courthouse, 2 July, 2013?---Yes.

And again you're there, Anthony Andjic and Margret?---Correct.

Were you for that?---Can we go down to the minutes more, please?

Yes. Did you prepare that?---Yes.

30 Were you there for that meeting?---I can't remember a 100 per cent.

When you say I can't remember a 100 per cent, does that mean you think you were, you've got no idea whether you were?---I can't remember.

Well may I ask you this. Do you remember preparing the minutes?---Yes.

You do remember preparing the minutes?---Yes.

40 And you did prepare them?---Yes.

Does that lead to the conclusion that you were there on 2 July, 2013?---I can't remember.

Well how would you prepare the minutes if you weren't there?---It's true, so I must've been there. I can't remember.

Did you go with your husband to that site meeting?---I can't remember.

Did you fly to Orange to then go to Cowra, does that help?---I know I flew to one or two of the courthouses but I honestly can't remember which one it was. Can't distinguish exactly which one it was.

Let me take you to 1639. That would indicate Ms Faye Hanoud, I assume that is you, on 2 July, flying from Sydney to Orange?---Yes.

With your husband?---Yes.

10 From that do you remember flying to Orange on 2 July and then going to Cowra? Two questions, let me ask those in two separate things. Did you fly to Orange on 2 July?---This states it so I must've, yes.

And then did you drive to Cowra?---I must of, yes.

And did you go with your husband?---I must of, yes.

In the meeting minutes, 1642, there's no reference to your husband being present at that meeting, is there?---Can I go back to the minutes, please?---
20 Yeah, 1641?---Correct.

Why not?---I'm not sure.

Is that again to try and put this pretence in place that your husband really didn't have anything to do with SAFF and it was you?---No, I don't agree with that. It could be to get advice with the construction side of it.

Well, why wouldn't he be mentioned in the minutes that he was there?
---That's a good point.
30

Can you give us an answer?---I couldn't give you a direct answer to that, no.

I'm sorry?---I can't give you a direct answer, no.

Was it to void making it seem like he was part of SAFF Projects?---No, I don't agree with that.

Because Triton didn't have anything to do with Cowra did it?---No, I don't think it did.
40

So why was your husband there in the first place?---Like I said, there probably had to be the construction side of it so I may have needed to get advice. I need to read more of the scope – actually what I've written down at the bottom if that's possible please

Of course you can?---And further down please. I can't give you a definite answer on why my husband had to be there.

Was it because your husband was running SAFF?---Of course he helped with SAFF, yes. It's his business.

Well, he was running SAFF Projects wasn't he?---It's his business.

And did you leave him off the minutes because you didn't want it to seem like he was part of SAFF Projects?---No.

10 Is that the reason why you were effectively the face of SAFF Projects, to put some distance between SAFF Projects and your husband?---I don't agree with that.

Well, why were you the face of SAFF Projects?---Like I said prior, something had happened and he asked me for help so I helped.

But it was more than helping. You were putting on being the face of SAFF Projects weren't you?---You could say that.

20 Well, is that right?---To me it was helping.

Well, did your husband go to meetings at the Department on behalf of SAFF Projects?---Not that I can remember.

You went to the meetings with the Department on behalf of SAFF Projects, right?---Yes.

You were the face of SAFF Projects, right?---It that's how you'd like to put it.

30 Well, would you agree with that?---Yes.

Why did you have to be the face of SAFF Projects when it was your husband's company?---To help him.

How?---In what I, in what I've done.

40 How did it help him you being the face of SAFF Projects rather than him who actually owned the company?---Because I'm sure at that time he had other things that he needed to do.

Well, obviously not on 2 July if he's going down there for it, right?---That's one day, yes.

The reason was to try and put some distance between your husband and SAFF Projects wasn't it?---I don't agree with that.

Now, between then 5 April and 2 July, apart from doing the minutes for 5 April and then doing the risk register for 5 April, did you do any other work on the Cowra Courthouse?---I cannot remember.

You can't remember doing any work for it, you can't remember whether you did any work?---I can't remember whether I did any work or if any further work needed to be done.

All right?---One or the other.

10

Would it be fair to say this, you didn't do any significant work?---I don't have a full over brief of what – exactly what I did in order for me to comment to that, sorry.

Well, you didn't spend days and days and days on it. That would be right wouldn't it?---I can't give you an answer because I'm not – I don't 100 per cent know.

20

You don't know whether or not you spent days and days and days on the Cowra Courthouse project?---Well, I need to know if there was further things done but I'm not – I don't know 100 per cent.

Well, just from your memory did you spend weeks on the Cowra Courthouse project?---No, probably not.

Well, between 5 April and 2 July, apart from doing the minute meetings and the risk register do you remember doing anything for SAFF Projects on the Cowra Courthouse project?---No, I can't remember.

30

Did you prepare tender documents?---I can't remember.

Got no idea one way or the other?---I'm just trying to remember which courthouse was the courthouse that no works, the works were cancelled and I can't remember if it was that courthouse.

THE COMMISSIONER: When you say the works were cancelled what are you talking about?---From memory there was a courthouse that the building, like the construction didn't go ahead.

40

Well, how did you find that out?---Because when we did the site visits and stuff like that I know I was advised by Anthony that no further works were to be done on that courthouse but I'm not 100 per cent sure if it was this courthouse.

So you didn't receive a letter from anyone saying that the project had been cancelled, you just received a verbal message from Mr Andjic did you?
---I can't recall the exact form that I received it in.

MR BRADY: Did you have to change the scope of works for some reason after 5 April and before 2 July?---Can we go down so I can have a look at that?

Can we go down on 5 April which is - - -?---Can I check the 5th and then the 2nd, is that possible?

5 April is 1616?---Can we go down? Is there anything else further? And then can we go back to the other minutes if possible?

10

I'm talking about before 2 July?---Sorry, the question was?

Did you need to change or reinforce the scope of works between 5 April and before 2 July?---So from this one till July?

Yes?---I can't remember.

Did you need to update the risk register between when you did it after 5 April and before 2 July?---If I needed to change the scope of works which I can't remember then yeah, I needed to change the risk assessment but like I said I can't remember.

20

All right. Can I just go to the risk register and that's at 1632. That's the risk register you completed?---Is there one only page there?

There's two pages?---Yeah.

And you see that's dated 12 June, 2013?---Yeah.

30 That's no doubt the risk register you completed?---That, that's what, yes.

How long would that have taken you?---I can't give you a definite time.

Are we talking a couple of hours?---Yes.

All right.

THE COMMISSIONER: Can you, can you explain why the availability of contractors was given a high risk ranking at Cowra?---Which one, sorry, what number?

40

Number 10, the availability of contractors, why that was given a high risk rating?---I'm not a 100 per cent sure. But I don't know if it was the time frame that it needed to be completed in. I'm not a 100 per cent sure. I can't give you a definite answer.

But it doesn't say anything about timing. Timing appears in number 11, number 10 is just about the availability of contractors?---Yeah. That's right. In the area that it was, like in Cowra.

What so you gave it a high risk rating because you weren't confident that you could find the contractors in Cowra to do the work?---I'm not a not a 100 per cent sure per cent sure but that could be a possibility.

Are you just speculating about that, are you?---At the moment.

10

MR BRADY: All right. So between 5 April and then 2 July is there anything else that you think you did on the Cowra Courthouse other than what we've gone through?---I can't remember.

Well nothing of great significance would be fair to say, would it?---I don't think that's fair to say because I can't remember.

But you didn't go back for other site visits between 5 April and 2 July did you?---I can't remember.

20

All right. Can I take you to 1631. Do you see that, there's a tax invoice dated 12 June, 2013?---Yes.

To Mr Andjic?---Yes.

That was for Cowra, wasn't it?---Does it say Cowra?

Well let me do this if I can. Can I take you to 1589. That's just a redacted version of that, isn't it?---Yes.

30

And you can see, can't you the project management costs to Cowra?---That states Cowra, yes.

Can I go over to 1588. Can you see that's a purchase order in relation to Cowra. Do you see that?---Yes.

With SAFF Projects. Do you see that?---Yes.

40 And if we go down to the bottom we can see an invoice amount of \$35,200. See that?---Yes.

And the date invoiced 12 June, 2013?---Yes.

So it's fair to say that the one at 1631 dated 12 June, 2013, is for Cowra, right?---Yes.

That lists a project manager's cost of \$32,000, doesn't it?---Yes.

That's in addition, isn't it, to the project management costs that you'd already sent through a bill for of \$3,780 on 17 April, 2013, isn't it?---That was for Cowra as well, that 17 April.

It was?---Can I have a look at it?

Did you want me to show it to you just to confirm?---Yeah, please.

10 1622. Do you see there - - -?---Yes.

- - - for Cowra?---Yes.

Do you see there site visit?---Yes.

Preparation of the meeting minutes?---Yes.

The risk register preparation?---Yes.

20 And incidentals?---Yes.

So that's \$3,780?---Yes.

So back at 1631 a bill on 12 June, 2013 for \$32,000?---Yes.

Do you see that?---Yes.

What did you do for that?---I can't remember.

30 All right. Well, on there it says preparing - - -?---Yes.

- - - first stage of tender documents, right?---Yes.

Now, previously first stage of tender documents was about 12 hours' worth. Do you remember that for Cessnock?---Who – oh, yes.

All right. Well, let's assume that that was done. That's 12 hours.

Reinforcing scope of works. What would that be, an hour or two maybe?

---I can't give you a definite answer.

40 Well, it wouldn't be too long would it?---It all depended on how much I had to change, if I had to change the scope of works or what needed to be done.

All right. Well, these – it couldn't be more than eight hours though. That would be fair to say wouldn't it?---Okay.

Well, would you agree with that?---I can't give you a definite yes or no answer.

Risk register preparation updates. How long would that have taken?---An hour or two.

And in fact the risk register was dated on 12 June, 2013 wasn't it?---Yes, it was.

And that was something you'd already charged for in relation to that first bill wasn't it?---Yes, that's what it states.

10 And then incidentals. Do you see that?---Yes.

So at \$190 an hour \$32,000 equates to 168 hours of work. Accept that?---If you want to break it down that way yes, I accept that.

Well, when you say break - - -

THE COMMISSIONER: Well, that would roughly represent four, four weeks of full-time work if you assume a 40 hour work. Is that right?

---Sorry, what - - -

20

It assumes four weeks of full-time work if you assume a 40 hour week?

---Okay. Fair enough.

MR BRADY: What did you do for 168 hours' worth of cost on the Cowra Courthouse in addition to already having charged \$3,700?---I can't give you a definite answer.

Well, let's not worry about a definite answer, let's give this a ballpark answer?---If that's what's written then that's what I believe I did.

30

THE COMMISSIONER: Well, can we just relate it back to what was said a moment ago. Was there a period of four weeks of full-time work that you did in relation to this project?---Probably not.

MR BRADY: Well, when you say probably not, you were still working as a teacher, right?---Correct.

You were also doing work during that period of time in relation to Cessnock, right?---I can't remember dates but if the dates coincide then, yes.

40

Well, the probably not becomes doesn't it a definitely not?---What - - -

You definitely did not do the equivalent of four full-time weeks on the Cowra Courthouse did you?---Okay. No.

You agree with that don't you?---Yes.

In fact, you didn't do anywhere near that. That would be fair to say wouldn't it?---No, I don't think that's fair to say.

168 hours' worth. How much of 168 hours' worth would you have done on the Cowra Courthouse in addition to the 3,700 you already charged?---If you're breaking it down hourly then yes, nowhere near as that amount. You're correct.

10 This bill was just a straight fraud wasn't it?---I disagree with that.

Why?---Because works were done.

THE COMMISSIONER: Well, let's just, let's just examine that shall we. You've already acknowledged that you didn't do the quantity of work that is represented by this invoice. You've agreed with that?---Yes.

20 So what follows is that there is a percentage of this moneys which were paid by the Department, we know not what percentage but it could be as high as 50 per cent, it could be as high as 70 per cent, but there was a percentage of moneys paid by this invoice to which you were not entitled. That follows doesn't it?---But if works were done - - -

No, no, no, no?--- - - - it doesn't matter how many hours were spent. I'm just trying to - - -

Sorry, did you just say if works were it doesn't matter how many hours were spent?---No, no, sorry, I take that back, it's now how it was meant to come out.

30 Well, just follow the logic of what I'm saying. You've already agreed that you didn't do the work represented by the invoice so it follows that you were paid an amount of money to which you were not entitled. Is that right?---Yes.

So in that respect to that extent it's a fraudulent invoice isn't it?---I don't think they're the correct term to use. It's very - - -

Well, what would you call it?---It's very harsh.

40 Well, what would you call it? It's dishonest isn't it?---Maybe a little dishonest, yes.

A little dishonest, not a lot dishonest, just a little dishonest?---It's dishonest.

Thank you.

MR BRADY: And in fact it goes further because there were no tender documents prepared were there?---I can't remember. I can't remember if I attached them to an email, I can't remember.

Now did you do some work in relation to East Maitland?---Possibly.

Well, do you remember doing work at East Maitland?---Yes, I did.

10 Can I ask you this, Ms Abouchacra, did you do anything more than turning up to the meetings, turning up to the site meetings and drafting minutes, did you actually do anything more than that?

THE COMMISSIONER: Is this in relation to East Maitland on or an any occasion?

MR BRADY: On any occasion?---I did. I did scope of works, the site minutes, the site visits, I agreed with that, that's what I did.

20 And otherwise what was happening with SAFF Projects is it was being run by your husband wasn't it?---When it comes to construction and things like that, yes.

Okay. So East Maitland did you go to a site meeting at East Maitland on 17 April, 2013?---I can't remember dates.

All right. Let me take you to 1689. Do you see that is an East Maitland Courthouse upgrade SAFF Projects meeting minutes?---Can I read the minutes - - -

30 Of course?--- - - - below, please? Is there more at the bottom?

Yes, there is?---I'm just trying to remember the courthouse, the actual courthouse. Sorry, can we go up again?

Of course?---Yes, I must have attended.

All right. Because it has Anthony Andjic, right?---Yes.

Anthony Dyke?---Yes.

40 Put in as East Maitland Registrar?---Yes.

And Fay Rouze as senior project manager?---Yes.

You say you were at that meeting on 17 April, 2013?---I can't remember.

Are they your minutes?---If I was there then they must have been my minutes.

Let me ask you this, do you remember writing out the primary notes, at 2.1, that AD Rose, that he believes the carpets are rising damp and causing a strong smell in certain areas of the whole courthouse, does that ring a bell with you whether you were there and wrote those minutes?---I can't remember.

10 That Mr Andjic acknowledged the smell and said checks needed to be done in order to find out the problem. Sorry, just hold on a second. That he acknowledged the smell and said checks needed to be done. Does that refresh your recollection about whether you were involved in this?---Sorry, I can't remember exactly.

So you just don't know one way or the other whether you wrote those minutes?---I just can't remember.

You see you weren't actually at East Maitland on 17 April, 2013, were you?---I can't tell you that because I can't remember.

20 Did you ever go to East Maitland?---I can't remember.

No idea one way or the other whether you went to East Maitland Courthouse?---Sorry, I'm just trying to recall. Because the flood lights are coming back to me. I can't remember. If I went – like - - -

30 THE COMMISSIONER: Did you see any large buildings near the East Maitland Courthouse? You remember a short time ago you told us that you knew that the Police Station was almost directly next door?---I'm just trying to remember if East Maitland was the one next to the rail track which needed the lights. Because at night – I can't give you a definite answer if that was – that was East Maitland.

MR BRADY: All right. Well what work did you do in relation to the East Maitland Courthouse?---Most probably similar to the other works.

Let me take you to 1676. See that is an invoice dated 7 May, 2013?---Yes.

Project managers costs?---Yes.

40 East Maitland site visit, 11 hours at \$190?---Yes.

How far away is East Maitland?---Just trying to remember. If that's the one like 40-something K's out of – away from Newcastle – they're all muddled up, sorry. I can't tell you exactly.

In any event that's an invoice for \$3,780. Right?---Correct.

Which includes the East Maitland site visit. Do you see that?---Yes.

Does that confirm in your mind that you went to the East Maitland site on 17 April, 2013?---No. It doesn't confirm because I want to make sure that I'm talking about the right courthouse. But I'm just trying to picture it in my head because I can't remember.

Then the preparation of meeting minutes. Do you see that?---Yes.

10 The risk register preparation?---Yes.

And incidentals?---Yes.

Did you do all of that?---I can't remember.

We see at 1622 it's exactly the same bill or tax invoice for the Cowra matter, same for the fact that the word Cowra has been substituted for East Maitland. Do you see that?---There's no Cowra on that one. Ah, sorry, yes. Yes.

20 So can I just swap between that bill and just have a look at that bill for me, and then the bill of 1676 of East Maitland?---Yes.

It's exactly the same isn't it?---Correct.

Why?---Because they're probably the same works that were done at the time.

30 So exactly the same time was spent going to Cowra and doing the site visit as East Maitland?---Sorry, were the hours the same? I didn't pay attention to that.

Can I go back to Cowra. I'm sorry, it's 1622. Cowra site visit 11 hours. Preparation meeting minutes three hours. Risk register preparation three hours. Incidental three hours. Can I then go to 1676. East Maitland site visit eleven hours. Preparation meeting minutes three hours. Risk register preparation three hours. Incidentals three hours. Word for word the same save that East Maitland has been substituted for Cowra hasn't it?---That's how it appears, yes.

40 Well, it doesn't appear that way. That's how it is isn't it?---Yes.

Were any SAFF Projects' tax invoices accurate?---I didn't do the tax invoices.

Well, after that what did you do on the East Maitland project?---I'm still finding it difficult to 100 per cent confirm the court of East Maitland so I can't tell you 100 per cent.

Well, let me go over to 1696. It's another bill for East Maitland dated 12 June, 2013. See that?---Yes.

Interestingly in fact, 12 June, 2013 was the same date as the tax invoice for \$32,000 for Cowra. You remember that?---Yes.

All right. And there's a bill for \$11,800, right?---Yes.

10 That includes a site visit to check up on progress?---Yes.

When did you do that?---I can't remember.

Did you take minutes of that site meeting when you checked up on progress?
---I can't remember.

What did you do when you turned up for the East Maitland site visit?---
Well, I would have went and introduced myself to the Registrar again.

20 Ah hmm?---And then probably took the scope of works and walked around with the Registrar.

So how long did that take?---I'm just guessing here. This – I'm just - - -

Well, let's guess how long it would have taken, a day?---To drive there, drive back do that.

Then the paperwork review of works by contractor. What does that mean?
---I couldn't tell you. I can't remember.

30 And then incidentals. Any idea what that is?---The incidentals?

Yes?---I couldn't remember.

So \$11,800 is 62 hours of work at \$190 an hour. Any idea how you spent 62 hours doing work for East Maitland?---I couldn't tell you.

Was Mr Chacra doing work for SAFF Projects during this period of time?
---I can't remember.

40 The East Maitland was project managing wasn't it?---Yes.

Who were you project managing?---I can't remember.

Was it Triton that you were project managing?---Possibly could have been but I can't remember.

Well, think about that. Were you project managing another courthouse other than Cessnock in which your husband's other company was doing the construction?---Yes, possibly.

Well, how did you go about project managing your husband for East Maitland?---The same way I went about it in Cessnock.

Which is basically just accepting his word that he did the job, would that be fair to say?---And checking the site like I did with Cessnock.

10

In terms of working out whether it was properly done, accepting his word that he'd done the job?---Construction-wise?

Yes?---Yes.

And then finally at 1702, 1702, we have another bill for \$2,970, it just says "Finalisation of project". What did you do for that?---I cannot remember.

20

Now did you do any work on Gunnedah?---I can't remember.

If the Commissioner would just excuse me for one moment.

Did you go to Gunnedah?---I couldn't tell you, I can't remember.

Do you recall going to Cowra on 2 July with your husband, remember that? ---Yes.

The following day did you go to Gunnedah?---I can't remember.

30

Well, just think about this for a moment if you would, you flew to Orange, drove to Cowra, did a site meeting at Cowra, obviously came back. The following day did you then get on another plane to go to Gunnedah?---I couldn't tell you, I can't remember.

Can I just show you 1733. That's an email from SAFF Projects to Anthony Andjic?---Yes.

Dated 25 June, 2013?---Yes.

40

Indicates 1 July Cessnock visit?---Yes.

Did you go to that site visit, just remind me?---Which one?

The one to Cessnock on 1 July or were you unsure about that?---I can't remember if that's the one I was unsure about.

Okay. In any event then to Cowra on 2 July, do you see that?---I can see that.

That's one you did go to?---Yes.

Yes?---I went to Cowra, yes.

And then it says Wednesday, 3 July Gunnedah visit?---Yes.

Gunnadah there is spelt G-u-n-n-a-d-a-h, you subsequently learnt no doubt that it's spelt with an E?---

10

Okay. Did you go to Gunnedah?---I can't tell you 100 per cent because I can't remember.

All right. We can't seem to find any site meeting minutes or anything of that nature, does that indicate that perhaps you didn't go to Gunnedah?
---No, not necessarily.

20

THE COMMISSIONER: Can I ask you this, Ms Abouchacra, you seem to recall that you flew to Cowra, there were some documents shown to you about a meeting at Cowra?---Yes.

Do you recall whether or not on that occasion, you flew to Cowra and then flew back to Sydney before going elsewhere or do you recall whether or not was one of the occasions that you went with Mr Andjic in his car and you simply drove from one courthouse to the next?---Sorry, I can't recall.

You have absolutely no idea how you got there?---To Cowra or to Gunnedah?

30

To anywhere?---Well Cowra showed the flights so I knew I fly to one of the courthouses. That confirmed that was Cowra. I just can't remember exactly.

Independently of looking at any of the documents that Mr Brady shows you, you have no idea how it was that you travelled to these courthouses?---I can't remember how I travelled.

40

Well that doesn't – well doesn't that equate with you have no idea?---Well if something can jog my memory then I, I tell it as I remember it.

Well that's what I'm, that's what I'm saying. Independently of what Mr Brady shows you, you have no independent recollection at all of how you got to these courthouses?---Without seeing the - - -

Ah hmm?---I can't remember them, that's correct.

MR BRADY: Can I take you then, look do you recall doing any work for Gunnedah Courthouse at all?---I can't remember.

So does that mean you don't have any recollection of doing any work for Gunnedah Courthouse?---That's saying I can't remember.

Can I take you to 1735. That's an invoice for SAFF Projects. Do you see that?---Yes.

Dated 14 June, 2013?---Yes.

10 That is an invoice in relation to works associated with the Gunnedah Courthouse?---Yes.

That is an invoice for \$32,950. Right?---Yes.

And it indicates works associated with Gunnedah Courthouse preparation of contract documents?---Correct.

What was that?---I can't recall. I can't remember.

20 Preparation of contract documents, what was that?---I can't remember.

You had no idea what the \$32,950 was for?---No. I can't remember.

Was anything actually done for Gunnedah Courthouse?---I can't remember.

Did you husband do anything for Gunnedah Courthouse on behalf of SAFF?---You need to ask him that.

30 Well you were involved in his business, weren't you?---I was involved, yes.

Well do you know whether or not he flew up to Gunnedah to do any work for Gunnedah Courthouse?---I do not know that.

Okay. So 32,950, fairly similar to the 32,000-odd for Cowra would require work in the vicinity of full-time four weeks at \$190 an hour, wouldn't it?---Yes.

40 It would be fair to say this, wouldn't it, you didn't do anything like that if you did anything Gunnedah Courthouse?---I can't remember if things were done. So how can I accept that statement?

All right. So that's about 170 hours' worth of work. Do you remember being involved in 170 hours' worth of work on Gunnedah Courthouse?---I honestly cannot remember.

You didn't, did you?---I can't remember. I can, I can say that and make things up for you if you want me to but I can't remember.

It's not a question of making it up. If you can't remember doing 170 hours like doesn't that mean quite frankly you didn't do 170 hours' worth of work on Gunnedah Courthouse?---No. I disagree with that statement.

You say that you may well have done 170 hours of work on Gunnedah Courthouse and completely had forgotten that, is that what you say?---I'm saying - - -

10 THE COMMISSIONER: And just to put it in context that's another four weeks of fulltime work?---I understanding the timing when he was saying that. I just can't remember.

MR BRADY: Well, let me ask you that again?---I can't remember if this was one of the projects that my husband took, I can't remember if I had anything to do with it, I can't remember.

20 If you'd done 170 hours' worth of work on Gunnedah Courthouse you would remember that surely? That would be right wouldn't it?---I don't want to agree with that because I honestly cannot remember.

So between 12 June and 14 June, 2013 SAFF Projects issued a bill or tax invoices to the Department for some \$74,710 over that two day period. Are you aware of that?---Not with the invoices.

The invoices I've just taken you to?---Oh, like they were all – you're telling me am I telling, do you want to know that?

30 Let me put it this way, Cowra for 32,000, this is all excluding GST, Cowra for 32,000, East Maitland for 11,800 and Gunnedah for \$32,950 between 12 June and 14 June, those were bills invoiced to the Department by SAFF, do you understand that?---Yes.

\$74,710, do you understand that?---Yes.

Was any work done for that \$74,710?---Yes.

Anywhere near like \$74,710 worth of work?---I think that's all down to the interpretation.

40 I see.

THE COMMISSIONER: At this particular time in 2013 what was your annual salary as a teacher?---Not sure exactly.

Roughly?---103,000 I think.

Per annum?---Yeah.

And you had a joint bank account with your husband I take it?---Yeah. Oh, I have one but I don't know if that was when we set, like I don't know the year or the time we set it up.

So this represented the combination of invoices Mr Brady has just taken you to represented three-quarters of your salary as a teacher?---Yes, it did.

10 And you don't remember what work you did for that?---I didn't say I don't remember all the work that I did for that but I can't remember every single bit of it, correct, I can't remember.

MR BRADY: What it's fair to say in relation to Gunnedah is you don't remember a single piece of work that you did for them?---I can't remember, correct.

Now on any of those tax invoices that were sent in by SAFF did Mr Andjic question you about those invoices?---I don't recall a conversation.

20 Well, you don't recall a conversation is different than no, he didn't. Did he question you about any invoice you sent in in relation to SAFF?---I don't recall the conversation.

So you think he may have but you just don't know one way or the other? ---I can't be sure.

He didn't question in relation to a single invoice did he?---I can't be sure, I can't remember.

30 Are you saying that you can't remember one way or the other whether Mr Andjic rang you up and said hold on a second, what's this bill for?---No, I can't remember.

So did you also for SAFF get paid a consultancy amount for – from the Department that is unallocated to any of the particular projects?---Just trying to remember. Possibly. I can't tell you for sure - - -

Right?--- - - - without going through records and things like that.

40 Okay. I just seem to have misplaced my folder. Would you give me just a moment. I'm sorry. Can I just take you if I can to 2612. Do you see that email there, and let's start with the first one which is at the bottom of the page and we'll run it down so you can see it in full. An email on 18 April - - -?---Yeah.

- - - to Fay?---Yes.

"I'd like to invite your company to submit a fee proposal for support the court upgrade program within the Department. The services will require the

following from your organisation. A dedicated project manager to do at least three full working days per week until the end of the financial year, ten weeks effective as of week commencing 21 April. The PM does not have to be located in our offices but may need to come in from time to time to brief me on the progress of the works.” Do you see that?---Yes.

Down the bottom, “This role will be similar to our existing development officer positions and have fully responsibility of the projects. They will also report directly to me.” Do you see that?---Yes.

10

Now, you – did you get that email?---I must of, yes.

Because at the top there’s a reply to it isn’t there?---Yes.

Did you reply to that email?---Yes.

You did?---Just trying to – yes.

20 Right, that was you who wrote that rather than your husband?---I couldn’t tell you for sure.

All right. Well, let me take you over to the next page and see if that gives some assistance. Sorry. Sorry, can I take you back just so I can show 2612 so back two pages. So at 2612 you will see that an attachment to the email is additional works for fee proposal?---Ah hmm.

See that?---Ah hmm.

30 Then can I take you to 2614?---Yes.

See fee proposal additional works to assist with the court upgrade program, 24 April, 2013?---Ah hmm.

Down the bottom it indicates from SAFF Projects Faye Rouze, senior project manager. Do you see that?---Yes. Yes.

But it has a figure in there of 45,600 excluding GST. Do you see that in the second last paragraph?---Yes.

40 Did you do that or did your husband do that?---When it came to figures I never put them in like, like - - -

When it came to figures?---Figures. I never came up with figures of what is worth what.

Right. So does that mean that your husband did that document or you did the document and your husband put in the figure?---That could be possible, yes.

Which one do we know?---I'm not a 100 per cent sure which one.

You can see there, don't you, as per discussion three days per week either on site or off site on a as needs basis. That is, it's the last point which is included. Right?---Sorry, which of the - - -

Yeah. That was a terrible question, let me ask it again. See under proposal?---Yes.

10

There are things that are included including as the last point, as per discussion three days per week - - -?---Yes.

- - - either on site or off site?---Yes.

On a as needs basis?---Yes.

Who was going to do that?---I need to see the works but I can't a 100 per cent know if it was me.

20

Well just for a moment in relation to works I'm setting that aside. This is the fee proposal that's being put forward by SAFF Projects. Right?---Yes.

What the fee proposal says is three days per week. Right?---Yes.

Mr Andjic had said in the previous email, a dedicated project manager to do at least three full working days per week?---Yes.

30

What is being said in there is that you are giving a fee proposal with those three full working days per week. Right?---Yes.

Who was - - -?---It says three per week not full days.

You're accepting, aren't you on the back of what Mr Andjic put forward in the email saying three full working days per week. Right?---You could say that.

40

Well isn't that what that does?---Well it says three days. So three days of work can be done – three days of work can be done over four if you're off site.

Anyway - - -?---I can take that interpretation.

Anyway. In any event it's going to be three full days per week whether it's done in three in one hit or three over five days?---Okay.

You accept that?---Yes.

That's what that's saying?---Yes.

Who was going to do that on behalf of SAFF Projects?---Most probably me. I can't – I need to see the works that were done and things like that.

Well just at the moment that you are putting forward that proposal, who was supposed to do three days per week for SAFF in assisting the Government?--Do not know.

10 Because you were still working full-time - - -?---Correct.

- - - as a teacher. Right?---Correct.

You're also during this period of time no doubt doing other projects for the Government which you were getting paid?---Correct. I worked – what's the date on - yeah. Correct.

20 Where were you going to find three full days a week?---My only answer to that is school holidays. But then again it doesn't - - -

Well the difficulty with that is this, isn't it, that down in the bottom, the last paragraph it says this. Based on our discussions and the above our fee proposal for providing project management services for the above project is 45,600 excluding GST. Hourly rates will be charged out at \$210 per hour for the director and \$190 an hour for the senior project manager in charge - - -?---Over a ten week period.

- - - over a ten week period?---Yeah. Correct.

30 How was that going to fit into school holidays?---My husband could have assisted in this, I just can't remember the works exactly.

Well, did you discuss it with your husband how are we going to do three full working days a week until the end of the financial year?---I would have had a discussion, yes.

And what was decided?---I can't recall exactly what was decided.

40 Well, let me go if I can to 2619. Now that was a bill from SAFF Projects of the additional works upgrade program, you see that?---Yes.

For \$3,015.70?---Yes.

That's in relation to that proposal that we've just been to, right?---Yes.

What was done for that?---I can't remember. I need to see the paperwork.

Right. The problem there is there doesn't actually appear to be anything in relation to that, does that surprise you?---No.

THE COMMISSIONER: Why doesn't it surprise you that there's no paperwork in relation to that project?---Like sorry I said no but like and then I wanted to take it back before I said anything, that is surprising, I would like to see it because - - -

10 Oh, you are surprised that there's no paperwork?---Like yeah, sorry. Can I change that, is that possible?

MR BRADY: Of course. Now can I just take you if I can back to this question about who was going to be doing the work and go to page 2615. Do you see at the top there – sorry, at the bottom the email, “Fay, I would like to invite your company to submit a fee proposal to support the upgrade program within the Department,” that's the dedicated program, you see that?---Is that the same one as the other - - -

20 That's the same email we've been talking about previously?---Yeah, yeah.

And then of course you've sent back an email haven't you?---Yes.

Saying this, “Hi Anthony, this is just a reminder email regarding additional works to help your department with the upgrade program. We have dedicated staff awaiting your orders to assist you and ease your workload. My staff are looking forward to working with a professional department and further their skills.” Did you write that?---Yes, I probably did.

30 Who were the staff?---Would have been myself, my husband and I know that my husband deals with a lot of other people.

Who were the staff that you were referring to as “dedicated staff awaiting your orders to assist you and ease your workload”?---No one in particular.

Well, why did you write it?---To look professional.

So it was untrue?---Not necessarily untrue because I'm sure we can get staff if we needed it.

40 Do you see “We have dedicated staff awaiting your orders to assist you and ease your workload,” was that a true statement?---I think my husband's dedicated and I'm dedicated.

“My staff are looking forward to working with a professional department.” You're talking about your staff aren't you?---As in my personal staff?

Well, you wrote it? You say - - -?---I'm just talking about - - -

You say this don't you, "My staff - - -?---Yes.

- - - are looking forward to working with a professional department"?
---Yes.

Who were you talking about when you said, "My staff are looking forward to working with a professional department"?---I was just referring to myself and my husband at that stage.

10 So again, it's just an untrue statement isn't it?---You could see it that way.

Well, it doesn't matter which way I see it. Would you agree with that?---
It's a little dishonest.

Yeah. A little dishonest did you say?---Yeah.

All right. Well, let's go to the then 2621, in fact 2620. You've got there,
"Dear Anthony, my team and I are very sad to notify you this is the last and
20 final invoice for the additional works upgrade program." Do you see that?
---Yes.

What you're talking about is this program that we've just been through?
---Yes.

All right. You've then said, "It has been our utmost pleasure in working
alongside you and a privilege to have been given the opportunity to work on
such (not transcribable) works. Saying you are good at your position is an
understatement. You are amazing. I have learnt so much just by serving
30 you"?---Yes.

"Seeing all the works come together on a final scale is testimony to your
hard work and professionalism"?---Yes.

All right. "Once again, thank you so much for the opportunity. If there's
any further assistance required to the Department my team at SAFF and I
are more than happy to be a part of your professional team of works
again"?---Yes.

40 Who is my team?---Once again, that's referring to what I said before, it's a
little dishonest statement.

And it starts in that way by saying "My team and I are very sad to notify
you". The same thing?---Yes.

All right. So that's a tax invoice then that you're sending through for these
additional works?---It's attached there, yeah.

Can I go over to 2621, and that's the tax invoice. Do you see that 12 June, 2013?---Yes.

A bill to Mr Andjic?---Yes.

For additional works on the upgrade program?---Yes.

\$42,584.30?---Yes.

- 10 Let's just check what that is if we can. So that's 224 hours on \$190?---If that's what the calculator said.

What did you do for 224 hours' worth of work for the Department additional to the other bills that have gone out from SAFF?---Like I said before, I can't remember exactly. I need to see the documentation.

All right. There in fact doesn't appear to be any documentation relating to that. Would that surprise you?---Yes.

- 20 It would surprise you. Well, just give us some indication of what you might have done for these additional works?---I cannot remember.

Any idea what your husband might have done if he was involved in it? ---No, I couldn't remember. You need to ask him.

There's 200-odd hours in this. Any idea?---No.

Did you notice that that was 12 June, 2013?---Yes.

- 30 So between 12 June and 14 June SAFF Projects issued bills to the Department in the sum of about \$118,000 in those two days. Understand that?---Yes.

Any of those questioned by the Department?---Not to my knowledge.

The bills were a fraud weren't they?---I'm not going to agree with that statement.

- 40 Just one final thing, if I can go back to the Cessnock – did you check that with Cessnock all the work was completed?---I know that I did a site visit like I said but I can't confirm with you 100 per cent, I can't confirm 100 per cent that all works were completed but I know there was works completed.

Well, see wasn't what you were saying as part of your job to ensure that they were all completed?---Yes, correct.

And you don't know whether they were or weren't?---I did go by what my husband said.

THE COMMISSIONER: Can I ask why it was that on 12 June you were representing to Mr Andjic that this was the last of the invoices that you were presenting to him notwithstanding that on 1 July, that's some two weeks later, there was a site meeting at Cessnock Courthouse?---I couldn't tell you exactly, I can't remember.

10 Do you think it had anything to do with the fact that between 12 and 14 June you were only two weeks away from the end of the financial year?---I couldn't tell you.

Did you ever do any project management for SAFF Projects other than the work you did on the courthouse program in the year 2013?--- I am not sure.

So this was the sum total of all the project works you did for SAFF Projects?---So are you asking did I do any other project – or are you referring to just – sorry, I didn't 100 per cent understand your question.

20 I'll start again. Is the project management work you did for SAFF Projects on this courthouse upgrade program - - -?---Yes.

- - - which is entirely within the year 2013 - - -?---Yes.

- - - is that all of the project management work you have ever done for SAFF Projects?---Yes.

30 So there is no other SAFF – sorry, I withdraw that. There was no other construction by Triton Group or any other company that your husband conducted where SAFF Projects did any project management, it was all confined to this court upgrade?---You need to ask my husband on that.

No, I'm asking you because you were the one - - -?---But that works that – oh, the works that I did for SAFF, for project management was just for the court upgrades.

40 All right. So that's the only thing you ever did but you can't remember as you sit there now what any of these duties were in respect of each of the courthouses that have been shown to you apart from being able to look at the documents?---Correct.

MR BRADY: I neglected to ask a couple of questions if I could, Commissioner.

The total SAFF Projects you receive from the Department in that financial – sorry, in that year 2013, you started in February, that would be right? ---Maybe, yes.

Finished in when, in September?---I do not know.

Definitely finished within 2013 though, right?---I do not know 100 per cent, it might have, I'm, I'm not 100 per cent sure.

Well, you didn't into 2014 did you?---I didn't do any works in 2014, no.

Okay. So it finished in 2014 from SAFF, right?---Must of.

10 The Department paid SAFF \$233,000 in that period of time approximately, do you understand that?---Yes.

1,230 hours of work on \$190 an hour in that period of time, do you understand that?---Are you asking me if I understand that statement?

Yeah, yes, you'd accept that wouldn't you?---Okay, if you want to break it down like that.

20 Assuming that's eight hour days that's 153 days' worth of work in that period of time, you accept that?---If you want to break it down like that, I accept that.

Okay. There's absolutely no way in the world that was done, was there? ---I'm not going to accept that statement.

Okay. All right. Of that \$233,000, that obviously went into SAFF's bank account?---Yes, it would have.

Did you get something out of that?---Me, personally?

30 Yeah?---Well it's my husband's money so - - -

So?---And we wanted to start a life together so obviously that helped us, yes.

All right.

40 THE COMMISSIONER: I'm not sure that that answers the question. Did you receive from your husband monies to reflect the work that you had done for SAFF Projects?---No.

So you weren't personally paid for any of that work?---No.

And it all went into your husband's bank account?---In the SAFF bank account, I think. Yes.

So your husband got the benefit of all that money you didn't actually receive any of it?---Well obviously some was taken out and then obviously I was given – to pay for things that we were starting up in our lives, yes.

Well, no. That's not what I asked you. You were not paid for the hours of work that you did by way of project managing this court upgrade?---No.

No?---Sorry, can I just go back to that. Are you asking was I paid a wage in regards to that or was I paid any money at all?

Were you paid anything - - -?---No.

10 - - - for your work - - -?---No.

- - - as project manager?---No.

No?---No.

MR BRADY: Triton also made a good amount of money out of the Department during that same period of time, didn't they?---You need to ask my husband that.

20 Well you must be aware of the fact that Triton made a lot of money as well. Right?---I'm aware that he made money.

You were project managing some of the things he made money out of?---Yes, I was.

In fact they made, didn't they, in excess of about a million dollars out of the Department over that time?---I can't tell you for sure the exact amount.

30 Well you know that it was a very large sum, don't you?---I know that he made money. I do not know the sum.

All right. What happened to all that money?---What do you mean by that?

Well where is it?---We used it.

How did you use it?---I can't tell you if it's exactly that money that we used but we used money in order to get married, to start our life together.

40 Did you give your sister any?---No.

I'm sorry, you were rolling your eyes and looking away then, is that, why?--
-Because that was something that my husband and I built together to build our lives.

THE COMMISSIONER: You keep saying that you used this money to build your life, what did you spend it on?---Obviously building a home together, getting married - - -

Right. So you built, you built a home did you?--- - - - getting engaged.

Just a minute. Did you build a home?---Yes.

Did you buy a block of land in order to build the home?---We bought, we bought a house which had land on it that we then obviously built a home on top of that.

10 Well did you demolish the existing home?---Yes, yes.

So you demolished the existing home and you built a new one?---Yes.

What else did you spend it on?---Getting married, going on a honeymoon.

Where did you go on your honeymoon?---We went away for five weeks.

To where?---We travelled the States and Mexico.

20 Anything else you spent the money on?---Living---

Motor cars, other disposable goods, furniture?---Cars---

I'm just suggesting here?---Yeah. I know but I don't know if you're suggesting that it was directly from that money that we bought these things?

The money goes into the bank account, the money that comes out is a reflection of the money that's gone in?---So then we spent it on a lot of things. It could be furniture - - -

30 It could be lots of things?---Yeah.

MR BRADY: Because ultimately you've done very well out of the Department. That would be fair to say, wouldn't it?---No.

40 THE COMMISSIONER: What you don't regard a million dollars over a period of something less than a year to be a rather advantageous financial outcome?---Well you've got to factor in my husband's hard work and him being away from home and everything like that. So I can't agree to that exact statement.

MR BRADY: And you didn't share at least the success that you were having even though your hard work with your sister?---No.

At all?---No.

You knew your sister – sorry, your sister is now married to Anthony Andjic?---Correct.

When did they start seeing each other, for want of a better way of putting it, in a romantic way?---I could not give you that answer. I have no idea.

Isn't one of the things in relation to your culture that you're talking about is the introduction of a partner to a family?---Yes.

Being really important?---Yes.

10 Being something that you would therefore remember surely?---It's not a massive event. It's just introducing the person to your family.

Well, see, this is also just a bit different because you had been working with Anthony as well hadn't you?---I had worked with Anthony, yes.

So when your sister introduces him to the family as her partner surely that would have been something that would stick in your mind?---When he introduced, yeah.

20 Well, when was it?---But I can't give you timeframe. I can't remember.

Well - - -

THE COMMISSIONER: Can you relate it to some event, i.e. before or after your marriage, before or after your engagement, before or after your honeymoon, can you put some timeframe on it?---Let me try, yeah. Engaged in '14 in May. So I can't give you a, like a definite answer but it could - - -

30 It doesn't have to be definite?---Yeah.

Give us a month and a year?---It could be maybe around my engagement time which was May of 2014. I think I got engaged then, yeah.

MR BRADY: So when did you get engaged?---I think it was May, 2014. I should know this.

When did you get married?---'15, 2015. Oh, sorry, no. I got married in 2014, 2015. I should know this.

40 So you get engaged in 2013?---Wait, sorry. In May, 2013, '14, do you know what, I can't, I can't remember.

Let me ask you this, did you, did your sister introduce Mr Andjic to the family as her partner while SAFF was doing work for the Department?---I can't tell you that because now I'm confused and I can't remember and I don't want to say something that's incorrect.

Okay?---Because I'm confused with my – even my marriage date.

Well, let's forget about, if we can, dates. Just were you still doing work for the Department in the extent that you were doing work for the Department when Mr Andjic was introduced by your sister to the family as her partner? ---I do not remember.

Well, surely that would have been something that would stick in your mind because you're actually working in part with Mr Andjic?---I do not remember.

10

Just don't know one way or the other?---Honestly I'm so confused now I do not know.

Thank you, Commissioner.

THE COMMISSIONER: Any cross-examination of Ms Abouchacra? No, no questions? Yes, thank you, you may step down.

20 **THE WITNESS EXCUSED**

[3.39pm]

MR BRADY: I wonder, Commissioner, whether you would give us a short adjournment perhaps just for five minutes just before the next witness is called.

THE COMMISSIONER: Certainly.

MR BRADY: Thank you very much.

30

THE COMMISSIONER: Just let me know when you're ready. Thank you.

SHORT ADJOURNMENT

[3.39pm]

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Yes, I call Mr Abouchacra.

40

THE COMMISSIONER: Just take a seat. Mr Ayache, have you explained to Mr Chacra the effect of a section 38 order?

MR AYACHE: I have, Commissioner, and I would make an application for that order to be made. I also have one further application, Commissioner.

THE COMMISSIONER: Yes.

MR AYACHE: I have prepared a minute of proposed direction that I would ask you make and I rely on the principles enunciated by the High Court in the matter of Lee v the Crime Commission. I have the form of direction typescript as well as a copy of the case of Lee. I have provided Counsel
10 with - - -

THE COMMISSIONER: I'm familiar with Lee but if you could hand up what you want me to - - -

MR AYACHE: Yes.

THE COMMISSIONER: - - - do.

MR AYACHE: I have provided Counsel Assisting with a copy and the
20 application for that direction is pursuant to section 112 of the Act of the Commission.

THE COMMISSIONER: Well, I don't need to make this direction at all because it is in effect covered by the decision and I'm sure the office of the Director of Public Prosecutions should it come to that would be aware of his obligations.

MR AYACHE: Would you hear me on that, Commissioner?

30 THE COMMISSIONER: Well, the difficulty – I'll hear you, Mr Ayache, but the difficulty is that I don't make declarations based on every common law principle that might emerge from the High Court. Ultimately whether or not these events transpire so that there is some consideration given to whether or not your client should be charged, which could be any time between now and the end of the year, I mean those matters fall to be determined when and if that occurs aren't they?

MR AYACHE: Well, the position is where you have legislation such as the present legislation which compel people to answer questions and thereby
40 waive their right to the protection against self-incrimination there is a requirement according to – in my respectful submission based, which is derived from the principles in Lee, requirement for a direction to be made to quarantine that evidence - - -

THE COMMISSIONER: No, there's no requirement that I give a direction to that effect. The decision of Lee produces that result absent any legislative amendment and a direction from me doesn't do anything to either reinforce or detract from that, from that principle.

MR AYACHE: If I could hand up a copy of the decision and take you to the relevant paragraph that I rely upon?

THE COMMISSIONER: Well, I'm familiar with Lee but Lee says nothing about the fact that a direction should be given by me in proceedings of this nature.

10 MR AYACHE: It doesn't specifically say in relation to ICAC but it does say in terms of considering the Crime Commission legislation which it was in that case that a direction should be given.

THE COMMISSIONER: Well, look, the effect of that has somewhat been overtaken by the court of Criminal Appeal in its decision in Seller and McCarthy which has pointed out that in the event that persons have been the subject of compulsory examination later come to be charged by the DPP, the question of how the DPP deals with that compulsorily acquired material and how it chooses to quarantine that material within the office for the purposes of prosecution is a decision made by and within the discretion of the DPP so
20 I'm not about to make a direction that binds the DPP in any respect because how the DPP copes with the restrictions of Lee and X7 is really a matter for the DPP, it's an organisational issue for him as and when that problem arises.

MR AYACHE: The danger in doing that is we are of course in a public inquiry atmosphere and the evidence will ultimately be published for the general public to see.

30 THE COMMISSIONER: Well, I'm afraid that's a product of the fact that every witness who appears before the Commission in a public inquiry is subject to that scrutiny and there is, I'm sorry, but there is a public interest in these proceedings being made public.

MR AYACHE: Indeed there is, Commissioner, and the greater public interest is what flows from these inquiries and any prosecutions that may flow and the difficulty is once the information enters the public domain absent a direction quarantining that evidence it creates problems if charges ultimately flow and people then argue that there's a perception that their entitlement or right to a fair trial has been denied. I'm seeking to avoid that
40 occurring down the track by seeking the direction. It's a matter for you, Commissioner, whether you choose to make the direction or not.

THE COMMISSIONER: All right. Well I understand the basis of the application but I think I've, I've ventilated the reason sufficiently to convey my decision to refuse the application. The section 38 declaration protects Mr Chacra from the use of his answers against him in civil and criminal proceedings and whatever might occur, if and when charges become relevant and that's a crystal ball that I don't presently have. Then as I've

said it's a question for the DPP how they chose to quarantine any material that might not be admissible against Mr Chacra for the purposes of those proceedings. Mr Chacra you need to understand that the Order under section 38 protects you from the use of your answers against you in civil and criminal proceedings but it does not protect you should it be found that you've given false or misleading evidence to the Commission. If that were to occur your answers would be able to be used against you in a prosecution under the ICAC Act which carries a maximum penalty of five years imprisonment. Do you understand that?

10

MR CHACRA: Yes.

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.

20

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

30

OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.

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

MR ABOUCHACRA: Sworn.

THE COMMISSIONER: Thank you.

40

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Could you please tell the Commission your full name?
---Shadi Abouchacra.

10 And what's your occupation?---I'm a builder.

I'm sorry, I can't hear that?---I'm a builder.

How long have you been a builder?---I've had my builder's licence for –
well, I've been in construction my whole life. Ever since I was 17 I started
on my apprenticeship.

What apprenticeship did you start?---Carpentry.

20 I'm sorry?---Carpentry.

All right. How long was that apprenticeship?---Four years.

At the end of that apprenticeship did you continue to work as a carpenter?---
No.

What did you do?---I furthered my studies with the Certificate IV to become
a builder.

30 And when did you complete that?---Probably two years after.

So when was that?---Around about maybe 2007, 2008, possibly 2010, I'm
not sure.

Well think about it if you would, when did you become - - -?---Well it was -
- -

Just hold on a second till I finish the question if you wouldn't mind?---Ah
hmm.

40 When did you become a licensed builder?---When I applied for it, after,
well after I got my qualification.

When was that?---When I opened up the – a company. A person cannot be
a licensed builder, the company is the builder.

When did you become a licensed builder?---When Triton Group was
opened.

When was that?---I believe I heard you say 2012.

All right. Are you doing that just on what I said in a question - - -?---Yes.

- - - or do you have a recollection that it was 2012?---No. It sounds about right.

So became a licensed builder in 2012?---The company was a registered building company in 2012, yes.

10

Right. Is there a difference between the company being a registered building company and you being a licensed builder?---Well, my understanding from what I was told at the Office of Fair Trading a person cannot be a licensed builder, a person can only be a supervisor of a building company.

When did you finish your, I think you called it a Certificate IV for building?---I can't give you an exact date. I don't know. It was well before I opened up the - a few years at least before I opened up the company.

20

Who did you do your certificate with?---It started off with the Ultimo TAFE in the city and then it finished up with the Master Builders Association.

All right. Was there actually a date where that certificate finished?---Yeah. When I completed - when I was - - -

Yeah?---Yeah, there would have been a date.

When was that?---I don't know.

30

Sorry, you don't know when you finished your Certificate IV as a builder? ---No.

Do you have a year when you finished your Certificate IV as a builder?--- Not exactly, no. I can't remember the year but I could check it and get back to you. I don't know.

Well, do you have a decade in which you finished - - -

40 MR AYACHE: Commissioner.

MR BRADY: - - - your Certificate IV as a builder?

MR AYACHE: With respect, Commissioner, he's answered I don't know in several different ways.

THE COMMISSIONER: Yes, I know, and we're trying to get some kind of timeframe but anyway, the best we can do at the moment is that he says it's

some years before 2012. Do you know how old you were when you completed the Certificate IV course?---I don't remember the age, no. It went – I – like I said, I finished my, my apprenticeship and then enrolled one year but I didn't complete it that year. I had issues that um, caused me to delay it and it stretched over a couple of years and I can't remember the exact year I got my certificate, I completed my studies, no.

We could, we could perhaps track backwards. When did you leave school?
---I believe it was in 2001.

10

Well, let - - -?---I was, I, I dropped out in Year 10. I'm 29 at the moment.

All right. So Year 10 - - -?---Yeah.

- - - when you were 16?---Yeah.

And what's your date of birth?---2nd of the 12th, 1985.

So you think it was 2001 did you say?---That I finished school?

20

Yes?---2001 or 2001, yes.

And so you did your apprenticeship?---Probably within a year after that.

And that was four years?---Yeah.

So we're up to 2005?---Yeah.

Or 2006?---That's what I said, between – oh, yeah, it'd be - - -

30

So after your apprenticeship at some stage you did your Certificate IV?
---Yeah.

So - - -?---I enrolled one full year but I didn't finish it in the year and it dragged a few years after that but I'm not sure exactly how many years.

Right. So did you start your Certificate IV immediately after you finished your carpentry apprenticeship?---Yes.

40

So we'd be looking at somewhere around starting your Certificate IV 2007?---That's what I said, between 2008/2010 is when I was qualified.

So you completed your Certificate IV sometime around 2010?---It could be – yeah, it could be before. I'm not sure exactly when.

MR BRADY: And when did you start working as a builder?---Well, it's a pretty broad question. You need to specify what you mean as a builder. It's a pretty general term being a builder.

Well, so you when I asked you what your occupation was said builder, right?---Yes. Construction was the correct term to use.

Sorry. So your occupation is construction?---Yes.

Okay?---I work in construction. That's right.

10 Did you work as a carpenter for a period of time?---Yes, I did but I didn't – I wasn't – it wasn't just carpentry. It involved a lot of things.

All right. Did you set up a business name for yourself?---Yes.

When did you set up a business name?---I don't know the exact, it was Triton Construction and I heard you say it before so you would have the dates for that.

And was it at that time that you started working - - -?---For myself.

20 - - - for yourself?---Yes.

And working in construction?---Yes.

So moving on from simply doing work as a carpenter. Would that be fair to say?---Yes.

All right. So from when that was through until 2012 you were working under the business name Triton Constructions?---Yes.

30 And then you started working under the business – under the Triton Constructions Group – Triton - - -?---I changed to a company.

- - - Group?---That's right.

Right. Continuing to work in construction?---Yes.

Did you start using Triton Group straightaway?---What do you mean?

40 Well, when you set up the company - - -?---Yeah.

- - - you then used that company to do your construction?---Yes, I believe I did.

Did you need an ABN with that company?---Yes.

When did you get the ABN?---Well, I don't know, I applied for it when I opened, I can't remember. So I opened the company, I applied for the

ABN, waited for the ABN to come in, once it did come in I got rid of Triton Construction and started trading as Triton Group.

Did you need to be registered for GST?---If I believed I was going to earn over \$70,000 then yes.

Did you register Triton Group for GST?---Yes, I did.

10 When did you do that?---I can't remember, I don't know.

Could that have been in 2013 that you first did that?---It could have been, possible.

What was the purpose in opening or, sorry, in starting Triton Group?
---Advice off my accountant, he always told me that companies are better than having a business.

Who was your accountant?---Oh, his, he's Zenith Accounting.

20 And were they your accountants when you were working at Triton Constructions?---I think so, I'm not sure. I don't know.

Well, who was your accountants when you were working with Triton Constructions?---I went through a few to find the right one for me, I've used different ones I think, I'm not sure.

30 Well, if Zenith Accountants were giving you advice that you should do it as a company does that make - - -?---But it wasn't just him, it's one person but I've known as well through previous experience everything is in a company than a business.

Mr Chacra, what you might do is just wait until I've finished asking a question and then we won't talk across each other - - -?---Okay.

- - - if that's all right. So it wasn't just the accountant from Zenith, from Zenith who said you should open a company, you got advice from other accountants as well?---Oh, people, yes.

40 All right. So for Triton Constructions, what sort of construction work did you do?---A lot of construction work.

Yeah, what sort?---Residential, remedial, anything I could pretty much get my hands on I'd do.

When you say residential, building houses?---Ah, no, I didn't build, it was more renovation, major renovations.

What sort of renovations?---Renovations, extensions, alterations, additions, whatever – I didn't do any additions, sorry, like first storey but it was extensions and alterations.

Sorry, you didn't do any additions so you didn't do any - - -?---First storey additions on, on top, I don't believe I did, no.

10 What we might do is can we just get you to move forward just a little bit just to ensure that your voice gets recorded and amplified if we can. Now in addition to Triton Group did you also start another company?---Yes.

What company was that?---SAFF Projects.

When did you start that?---I do not remember.

Can you give us a year?---Around – oh, after, it was after Triton Group but I can't – it was probably the same year. I don't remember the date.

20 What was the purpose of SAFF Projects?---To do project management work.

Now as a builder – sorry, as being in construction with Triton Constructions had you done any project management?---Yes.

For what?---For the renovation jobs I was, I just said I did.

Right. So had you effectively then just project managed your own construction?---Yes.

30 Had you done any project management work for other – where you project managed other construction companies?---Sorry, when I was working as Triton Construction?

Yes?---No. Oh, yes, I have to take that back, I, I was also sub – I can't remember if it was under Triton Construction or Triton Group but I was working for a building company as a supervisor/project manager and I wasn't sure if I was at that time as a subcontractor meaning invoicing for my hours there or, or was getting paid a wage.

40 Sorry, you were working for a building company as a project manager? ---Yes.

Which building company?---Jacobson Constructions.

And when did you work for them?---I don't remember it was some – the first time I started working for - with them was around the time I was finishing off the year that I started studying for my builder's licence at the TAFE New South Wales.

Right. When did you do project management work with them?---At the time I was employed with them.

You indicated the first time you were employed with them?---Yeah, yeah.

10 Were you employed with them more than once?---I still do work for the company. I can't remember, I'm in and out. I've built a relationship with that company where whenever they need me I go in and we've got the relationship where whatever's required I do whether it's on an hourly rate or a, or a total sum of the job.

But when did you do project management work for them?---When I first started working for them but that was before, I think Triton Construction was registered but I'm not sure.

20 So you were doing project management work for a construction company before you'd started working in construction?---No, before started working for myself in construction.

I see. And what did your project manage?---Possibly, I'm not sure though. I'm not a 100 per cent sure about that.

What did you project manage?---Insurance claims like remedial work for houses or whatever the claims were.

Right. Did you also take part in the construction?---Yes. Ah, what do you mean by take part in the construction. I retract my - - -

30 Well when you were doing this work for Jacobson Construction where you say you were project managing were you also involved in the construction itself?---Me physically being on the tools or - - -

Well running it as a part of your construction business?---I still don't understand what you're asking me.

Let me ask you this. Is there a difference between project management and then doing the construction work?---Yes.

40 What's the difference?---Doing the construction work is physically being there and doing the stuff with your hand. Project management is managing the project and make sure it gets done on time.

On occasions there is a construction company doing the construction work and a project manager managing the construction company, isn't there?--- Depending on the size of the project. No, but not necessarily.

On occasions that will occur. Right?---Yes.

You're not suggesting that everyone within the construction company in those circumstances has to get in there and do it with their hands, are you?--
-No.

Right. So when you were working for Jacobson were you separate and distinct simply as a project manager rather than being involved in the actual construction?---No, you're confusing me. I don't know what you're asking?

10 All right. Well let me move on. Did you have any speciality as being a project manager?---Speciality?

Did you specialise in it?---Did I specialise in being a project manager?

Yes?---No.

When is the first time you did work for the New South Wales Government?--
--Um, I don't remember the first time.

20 Would you remember the first job?---As when I was in Triton Group?

It doesn't matter who you were in, do you remember the first job you did work for New South Wales Government?---Yes. I don't know which one it was but I've been involved in, um, the Department of Housing and also, ah, the installation scheme that came out, the inspections.

When is the first time as your own boss did you do work for the New South Wales Government?---Well I don't know if being a subcontractor is considered as being your own boss?

30

THE COMMISSIONER: When were you engaged on any construction process that was being carried out by or on behalf of a New South Wales Government Department?---Directly from the Government to my business or my - - -

MR BRADY: To you?---Ah, for Triton Group.

THE COMMISSIONER: Yes, when, when we're asking, when?---Well the first project I did for the first courthouse. I don't remember the date. It was
40 the first.

MR BRADY: What project was it?---I don't know which one was the first one.

Sorry, the first time you as boss worked for the New South Wales Government on a courthouse you don't remember which one it was?
---Which, which - the, no.

Well, you don't remember what the first lot of work you did?---It could have possibly been Blacktown Courthouse.

What did you do at Blacktown?---It was minor works.

What was it?---They had an issue with, with soundproof, sound.

An issue with sound with what?---With the public and the sound and with the design of the building.

10

So what did you have to do?---Try to come up with a solution to, to fix it.

Yeah, and what was that?---We met with the, the representative from the Department of Attorney-Generals and also the Registrar on a number of occasions and we'd brainstorm solutions and then we tried a couple of them and then that was it.

And what did you do?---Hmm?

20

Well, how did you fix it, what work did you do?---One of the works was to, to open up the, the area to try to make the sound travel which wasn't successful and then engineers were involved to try to soundproof the walls and use acoustic and that's what we did, what we - - -

But what did you do to fix the problem, what work did you actually do?---I just told you.

Right. The engineers came in to try and resolve it. What did you actually do as part of that, did you actually do any work?---Yes.

30

Did you actually do any construction work?---Yes.

What construction work did you actually do?---We opened up the area.

Opened the area by doing what?---Removing the partition wall.

So you removed a wall?---Yes.

40

Did you do anything else?---No, not from memory. Oh, put up a, a handrail so no one, there was a trip hazard.

Right. So you removed a wall and put up a handrail?---Yes.

What was the next job that you did for the Government?---I don't remember.

No idea?---No.

How did you get that job removing a wall and putting up a handrail?---I think through a phone call.

From whom to whom?---From Amin.

Sorry?---A guy that was working at the Department of Attorney-Generals.

Who was whom?---I believe his name was Amin.

10 Amin?---Or Amir, yes.

Amir. Amir who?---I'm not sure. I don't know his surname.

Right. Did he call you?---I can't remember if I called him or he called me the first point. I don't know.

Well, why would you call him?---Looking for work if, if I did.

20 What do you mean looking for work?---Trying to get work.

What, cold calling a Government department saying can you give me some work?---Sorry?

Cold calling a Government department saying can you give me some work - - -?---What's - - -

- - - is that what you're saying?---What's cold calling?

30 THE COMMISSIONER: Did - - -

MR BRADY: Without, sorry.

THE COMMISSIONER: Did you know the person Amir?---No, I didn't know him.

Well, how did you get the number?---I don't know if I called him or he called me first. I don't know. I can't remember.

40 But where was he physically located, what was his job, what was his job description?---He worked in the Department of Attorney-Generals.

Yes. But whereabouts?---I don't know whereabouts. He – I know he worked with Anthony.

He worked with Anthony?---Yes.

Mr Andjic?---Yes.

Was that how you got his number?---Well, I don't know if the, I don't know if he got my number off him or I got his number off – I can't remember.

MR BRADY: How did you know Anthony then?---I need dates. I don't know which happened first.

Talking about the very first one that you did for the Government, that is, the thing at Blacktown - - -?---Yeah.

10 - - - how did you know Anthony at that time?---Well, now I'm trying - - -

That's what I'm asking?---I'm starting to question myself if it, if it was the first job. I don't know. I can't remember.

THE COMMISSIONER: Don't worry about whether it was the first job. The question now is how did you know Mr Andjic at that time?---I understand that but it's going off what I just said and I'm not sure about my answer.

20 Well, you've said that you obtained the contact to Amir through your - - -?--
-No, I said - - -

- - - knowledge of Anthony?---Either I got it off Anthony or the Government or Anthony got it off – I mean Amir got it off Anthony and called me. I just don't remember which.

Well, we understand all of that but all of that presupposes that you knew Mr Andjic?---Yes.

30 How did you know him at that particular time?---Well, like I - - -

What was your association with him?---The first time I spoke with Anthony, well, the first time I have met Anthony - - -

Don't worry about the first time you met him. What I'm interested in is what was your association with him? Under what circumstances did you come to know him?---Oh, me calling around trying to – like what I said, trying to get some work.

40 Oh, so you just made this random call, Anthony Andjic picked up the phone did he?---No, I, I called Anthony Andjic, I called a number of people.

Mr Chacra, it's a very, very – it's been a long day?---Yes.

Can we just concentrate for just one moment please?---Yeah.

You said a moment ago that you called Mr Amir either because, or he called you, either because Anthony Andjic gave you the number or something to that effect?---Yes.

Are we right so far?---Yes.

That presupposes that you knew Mr Andjic?---Okay.

10 How did you come to know him at that time?---For chasing work.

So do I understand you to say that you had previously had some phone conversation with Mr Andjic about getting work?---Yes.

How did you know to ring Mr Andjic?---Okay. Well, off the Government site, eTender, he was on a Government site with all the numbers and I called off that.

So you went on the Internet to find that did you?---Yes, the information.

20 Was he the only person that you called?---No.

MR BRADY: What website did you go on to find his details?
---Government website, I'm not sure exactly which one, just was researching and it leads from one thing to another.

What were you researching?---How to get Government contracts.

So you got his number?---Yes.

30 From that?---Yes.

And you cold-called him?---I don't know what the meaning of cold-calling.

Well, did you know him before you called him?---No.

So you hadn't had an introduction from anyone?---No.

So you just called him out of the blue?---Yes, pretty much.

40 When you say pretty much that's what you've done, right?---Yes, yes.

So you've telephoned Mr Andjic, right?---Yeah.

What have you said to him?---Introduced myself.

And?---And what I did and if he had any, any upcoming projects or anything that I could help him with.

Right. And what did he say?---I don't remember the exact words, I'm just going off what I would have said to him.

Did he say to you look, in order to do work, construction work for the Government you need to be prequalified?---I can't remember.

Did you ever hear about the fact that you should be prequalified?---Well, no, I've, I signed onto eTendering, I'm not sure if that's a prequalification.

10 Sorry, you signed onto eTendering?---Registered onto it, yeah.

And when did you do that?---I don't remember the dates but around, it's in the same year, I, I don't know the dates though.

And when you're doing this research how did you know to ring Mr Andjic? ---Well, I didn't know, I was just calling randomly.

So who else did you call randomly?---Oh, I can't remember any names.

20 None at all?---No.

And then you say that either he called you or Amir called you?---In regards to what?

In regards to the Blacktown work?---No, Amin, I only dealt with Amin for the Blacktown, Blacktown - - -

So this guy, this guy calls you?---Possibly, or I called him, I don't know. Yeah, I got in contact with him.

30

How would you know to call him?---If his name was on the, on the watch you call it.

Don't you say that you came to know Amir through Anthony Andjic?---No, that's a possibility. I just didn't know which one it was.

Sorry, it's only a possibility that Mr Andjic put you in touch in with Amir? ---Yeah, that's one of, one of them, yeah.

40 THE COMMISSIONER: About five minutes you said that you knew Amir who you got – you spoke to Amir and all you knew about him was that he used to work with Anthony?---No, I, I knew he - - -

That's what you said five minutes ago?---I - - -

Is that right or is that not right?---You're confusing me, I don't know.

I'm not trying to confuse you, I'm just asking you whether or not you remember saying five minutes ago that Amir used to work with Anthony?
---Yes.

Is that right or not right?---I did say he, I know he used to work for the Department with Anthony, yes, I do.

Right. But with Anthony, not just with the Department, you knew that Amir used to work with Anthony?---Yes, I did.

10

Right?---I don't know if it was before I spoke to him or after but I know that now.

MR BRADY: Well, after this Blacktown job did you get another job with the Department?---I've done a few jobs for the Department, yes.

Who contacted you in relation to the next job?---I don't know.

20

Well how did you get the next job?---Which job are we talking about?

All right. What's the next job you did after Blacktown?---I cannot remember.

You said you set up SAFF to be effectively a company for project managing. Right?---Ah hmm.

Did you get a project management job from the Department?---I did.

30

When did you get that?---Well the first one I got was before I set up SAFF Projects.

Okay. When did you get that?---I don't know the dates.

How did you get it?---I do not remember.

This is the first job you've got for the Government as a project manager?---That's right.

40

You don't remember how you got that job?---No.

No idea?---No.

Who gave it to you?---Anthony gave it me.

In what circumstances did he give it to you?---I can't remember how – how we went on about it. I cannot remember.

Well did you call him up and say have you got any project managing jobs?--
-It could've possibly been mentioned once we'd met for the first time. I
don't remember.

When did you meet for the first time?---From memory it was in regards to
the Tamworth Courthouse.

THE COMMISSIONER: You say that's the first time you met Mr
Andjic?---Personally, yes. And in person, sorry, yes.

10

MR BRADY: Sorry, the Tamworth Courthouse?---Ah, no. I can't
remember which one it was but he was going to visit one of the courthouses.

Sorry, the first time you met him when he was going to visit one of the
courthouses. Why were you going to visit one of the courthouses?---
Because after I've -- I spoke to him he then gave me an opportunity to, to
either put in a fee proposal or a tender, I can't remember which one it was,
for the project.

20

All right?---So he, he was going to give me an opportunity to do some work
for the Department.

Okay. So when is the first time you spoke to him about doing work through
him for the Department?---I can't remember.

What job was it was the first time you spoke to him about - - -?---I do not
remember.

30

- - - doing work through him for the Department?---I can't remember the
first time.

No recollection at all of - - -?---No.

- - - the first time you get work through Anthony Andjic for the
Department?---No.

No idea what courthouse that was?---No.

40

No idea whether it was for project management or for construction?---At
this point, no, I cannot remember.

You don't remember whether the first time you did work through Anthony
Andjic for the Department was for project management or for construction?
---No.

THE COMMISSIONER: I think we might leave it there for today,
Mr Brady. Well, as I said yesterday we'll resume tomorrow at 1.30.
Mr Chacra, you'll have to be back here no later than 1 o'clock with a view

to recommencing your evidence at 1.30. Could I remind you that you are not at liberty to discuss your evidence with anyone, that includes your wife and any member of your family?---Yeah.

Yes, thank you. I'll adjourn.

THE WITNESS STOOD DOWN

[4.28pm]

10

AT 4.28PM THE MATTER WAS ADJOURNED ACCORDINGLY

[4.28PM]