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HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION YANCEY

Reference: Operation E13/1916

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 29 JUNE, 2015

AT 10.08AM

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, my apologies for that delay. Mr Silver, do you – no, are you right? I thought you were - - -

MR SILVER: I'm here Monday and Tuesday but not the rest of the week.

THE COMMISSIONER: I see. All right. Well, I'm sorry about that, it is what it is. Yes, Mr Brady.

MR BRADY: Yes, I call Mr Andjic.

10

THE COMMISSIONER: Yes, Mr Oates.

MR OATES: My client will take an oath if you please, Commissioner, and seeks a section 38 declaration.

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THE COMMISSIONER: Yes, thank you. Mr Andjic, I take it that you have been present when I've given this information to other witnesses, the order under section 38 protects you from the use of your answers against you in civil, criminal or disciplinary proceedings but does not protect you should it be found that you've given false or misleading evidence. You understand that?

MR ANDJIC: I do.

30

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.

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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.

THE COMMISSIONER: Could we have the witness sworn please.

MR BRADY: Yes, thank you, Commissioner.

Please tell the Commission your full name?---Anthony Jasmin Andjic.

And I might get you to spell those if you can, Anthony obviously – Jasmin?
---Yeah, Jasmin, J-a-s-m-i-n.

10

And Andjic?---A-n-d-j-i-c.

Mr Andjic, what is your occupation?---I'm currently unemployed but
project manager, quantity surveyor.

Before being unemployed what were you doing?---I was doing contract
works.

20

For whom?---For Total Recruitment Company on behalf of Transport for
New South Wales.

How long did you do that for?---Since November last year.

Before November last year, that's 2014 - - -?---Yes.

- - - where were you doing?---I was suspended from the Attorney-General's
Department. During that time I gained employment within Woolworths as,
just within the warehouse doing some works there. The suspension
occurred in March.

30

March 2014?---Yes.

Were you working for Woolworths as well before March 2014?---No.

Before March 2014 what were you doing?---I was the assistant director
Capital Works within the Attorney-General's Department.

How long did you hold that job for?---Don't know the exact time but it was
approximately five years.

40

And before being the assistant director of Capital, of Asset Management
Branch in charge of Capital Works what did you do?---I was the manager of
development at the Zoological Parks Board New South Wales.

Are you married?---I am.

Who to?---Fatima Hammoud.

When did you get married?---We got married in, this year, January, late January, 29th I think it is, yeah.

Sorry?---29 January, it was - - -

29 January, 2015?---Yeah, yes, this year, yeah.

You were engaged before that?---We were, yes.

- 10 When did you get engaged?---We got engaged in 2014, don't know the exact date but it was around the March/April in 2014.

Did you have an engagement party?---We did, yes, a celebration.

When was that?---During that time, March/April.

Can you narrow it down to closer than just March or April 2014?---It was March, it definitely was March, sorry, yeah, so - - -

- 20 The beginning of March?---I don't recall if it was the beginning but it was some time after I got suspended so I can't remember what date that was but it was after that.

Did you buy a house together?---We have, yes.

When did you exchange on the house?---Probably in late March, early April, I'm not 100 per cent sure I'm sorry.

- 30 Could the exchange have been in early March?---Oh, sorry, the sign-off on the contract was then so I don't know, exchange is that once it's ours we move in so six weeks before that.

Let me go back a step if I can?---Yeah.

When did you first put down a deposit on the house?---It was I think, I believe it was April.

April which year?---2014.

- 40 When did you start looking for the house together?---Oh, it was probably December/January, thereabouts, yeah, so - - -

Before being engaged, I mean you're looking for a house together, you were obviously romantically involved?---Ah, yes.

Do you accept the term romantically involved?---Well, romantically being a couple?

Yes?---Yes, a couple.

All right. So let's use that expression - - -?---Yes.

- - - then if you like as being a couple?---Yes.

So you were a couple before being engaged?---Yes.

10 When did you start being a couple?---Started being a couple in July or August the following year, so in 2013.

July or August?---Yeah, it was around that period, yeah, late July, early August.

Okay. What was your first date?---Our first date?

Yeah. As a couple?---As a couple?

20 Yeah?---Well, don't recall our first date as a couple. It was probably dinner. Going out to dinner.

Well, before you were a couple you were work colleagues?---Yes and friends.

And friends?---Yes.

Right. Well, when did it change from being work colleagues and friends to being a couple?---July, August.

30 And what was the first date that led to a change in to you being a couple?---Like I said it could've been a dinner. I can't recall the actual first date.

Well how did the first come about?---Well I asked her out.

Right. This is your relationship?---Yes, it is.

Can you tell us - - -?---Yes.

40 - - - how that came about that you asked her out and what did you do?---I approached her, do you want to go out to dinner, she said, yes and based on the circumstances that were prevailing beforehand, came to a conclusion that, okay, do you want to take it to as a couple, as become a couple and that's when it came about.

When you say the circumstances that were prevailing beforehand?---Yes.

What do you mean by that?---Ah, the pressures of work, everything associated with work, relating to work.

What did that have to do with you then approaching and saying, do you want to go out on a date?---We became very close. So, and that's, that's what led to it.

Sorry, you became very close in your working environment?---Not just the working environment, as individuals. We became closer together and got an understanding of each other more so and it became – and developed into a relationship.

10

On 8 July were you a couple?---I, I can't tell you the exact dates. I don't recall.

On 8 July you were on a panel that was interviewing Ms Hammoud for a job weren't you?---Yes.

Well, at that stage when you were interviewing Ms Hammoud for a job were you a couple?---No.

20 Definitely not?---No.

You're saying you were not a couple on 8 July, 2013?---Those circumstances leading into that made us into a couple. So, no, not at that time.

30 THE COMMISSIONER: Sorry. I'm just not quite sure what you mean by that. But can I just clarify this. When you say you weren't a couple on 8 July do you mean to say that the dinner that you had or the date that you had that you've indicated was the change in your relationship, that definitely didn't occur before 8 July?---Not for that circumstance, no. Like in terms of becoming a couple.

Well, I know you keep saying that but I mean a moment ago you said that the shift if you like was on the occasion, the first occasion that you asked her out for dinner?---Mmm.

So what I'm asking is are you quite sure that that dinner engagement had not taken place before 8 July?---Correct, yes.

40 Thank you.

MR BRADY: Because if it had taken place before 8 July that's something that you would have mentioned at that interview?---Correct.

You would've had to have declared that we are in fact a couple?---Correct.

You didn't declare you were a couple?---No. I didn't declare we were a couple.

Because you say at that stage you were not?---No.

You agree with that proposition?---I agree with that, yes.

Did you want to be a couple with Ms Hammoud as at 8 July, 2013?---More than likely.

Well, you were at this interview, right?---Correct.

10

You were running the interview, weren't you?---Correct.

Well when you say more than likely, you're the one who would know whether you wanted to or not when you're interviewing Ms Hammoud for a job?---We became, sorry.

20

Did you want to be a couple at that time?---We became close friends and I'll just – if you don't mind me telling the story. We became close friends and at that time I was thinking, you know, we're very close friends and then all the circumstances leading after that and prevailing to that then it became more prevalent for me to say, okay I really like this girl to become a couple.

As at 8 July when you're running this interview with Ms Hammoud did you want to be a couple?---I was infatuated with her, I won't deny it, but becoming a couple was a different story. I don't know.

So at the time that you were interviewing Ms Hammoud for this job you were infatuated with her?---Correct, yes.

30

Did you declare that?---I did.

You declared to someone that I am infatuated with Ms Hammoud?---Not declared, I declared that I knew of Ms Hammoud in the interview, so and the process.

There is, isn't there a significant difference between saying I know a person and I'm infatuated with a person. That would be right, wouldn't it?
---Correct.

40

There is a significant difference in terms of whether you have a conflict of interest simply knowing someone and being infatuated with someone isn't there?---It's possible.

What do you mean possible? Is there?---Possible, yes.

If you were infatuated with someone how in the world can you approach it impartially?---You could still impartially approach it if its professionally.

THE COMMISSIONER: Could I also just clarify one thing, Mr Andjic?
---Yes.

When you said that at the time of the interview you were infatuated with Ms Hammoud do I take it that you had not declared your infatuation to her at that time?---No, I didn't.

You hadn't?---No.

10 Thank you.

MR BRADY: So let's go back. If you're infatuated with someone how in the world could you approach that impartially?---In a professional sense I could, I've dealt it that way.

Sorry?---In a professional sense I dealt it in that way, like I said obviously I took my feelings to the side and said okay, professionally this is the way it's supposed to be.

20 So you say you were able, notwithstanding the fact that you were infatuated with Ms Hammoud, to simply set that to one side and act impartially on this panel?---Correct.

Someone looking in from the outside who knew you were infatuated with Ms Hammoud, how in the world would you convince them of your impartiality?---You have to ask them, I don't know.

Well, part of conflict of interest is not simply whether or not there is actually a conflict isn't it?---No, there's a perception as well.

30 Right. And the perception is someone looking in from the outside, right?
---Correct.

A reasonable person looking in, that's right?---Correct.

And you know that don't you?---Well, I knew of it, yes.

You knew of the necessity of declaring a conflict of interest didn't you?
---And I did.

40 You knew of the necessity of declaring a conflict of interest?---Definitely, yes.

And you knew didn't you that part of that is whether or not there would be a perceived conflict, right?---Correct.

You say you were infatuated with her?---I was.

You didn't think that was necessary to disclose in order to avoid any perceived conflict?---I disclosed it accordingly.

Did you say - - -?---No, I didn't.

- - - that you were infatuated with her - - -?---No.

- - - when you disclosed that conflict?---No.

10 Did you say I know her?---Yes.

That's not disclosing the conflict that you were infatuated with her is it?
---That's fair.

Why didn't you disclose the conflict that you were infatuated with her?
---Because I knew that the whole process relating to her engagement was not going to go ahead.

20 THE COMMISSIONER: What, you mean at the time of the interview?
---At the time of the interview I disclosed it accordingly to the associated panel member that that it will not, she's going through a training process in regards to the actual recruitment and she will not be considered further for the position.

I'm sorry, do you mean to say that the interview, the whole of the interview process not just Ms Hammoud's interview but everybody else's was in fact - - -?---No.

30 - - - a pointless exercise?---No, no, that's, that's not true to say.

So the position was going to be filled?---Correct.

But Ms Hammoud was never going to be considered a genuine applicant?
---Correct.

MR BRADY: Why?---Because of that conflict and obviously that I understood that the people that were going for the job in the role were more qualified in that regard, in that respect.

40 Sorry, you knew what, that Ms Hammoud wasn't really applying for the job?---She was applying for it, I knew of that, definitely. The approach was made to me for training purposes and I agreed with it.

Sorry, when you say the approach was made to me for training purposes - - - ?---Yes.

- - - do you mean Ms Hammoud came and saw you and said can I just go through this interview process for the purpose of training?---Correct.

And that included no doubt then drafting the answers to the various, I'm just trying to work out how to say it, you need to, don't you, make an application?---Correct.

And you need to answer various aspects of the application don't you?
---Correct.

10 So you say that all of that from Ms Hammoud was simply for training purposes?---Correct.

And you knew that from the word go did you?---Definitely.

20 And did you say that to the Human Resources officer who was then sitting in with you?---I mentioned it. I mentioned that there were two people within my group that were going to be – or group, being Asset Management branch, that will be approaching this job, one will be an individual, a project officer that's currently in my area, and the other one would be Fatima and that Fatima would be doing this for training purposes on her behalf.

So you said to the Human Resources manager this whole interview process with Fatima is simply to help Fatima?---Correct.

That this whole interview has nothing really to do with the job at all?---No, the job was there, it was prevalent in that respect.

Just stay there. It was prevalent?---Yeah.

30 What do you mean by it was prevalent?---Sorry, a big word for me. Sorry. I'll retract that. It was there to – I needed a position to be filled and I needed that to be filled with the appropriate persons.

Right. But did you say to the Human Resources officer that Fatima is simply doing this for a practice?---Correct.

Did you ask her if she minds giving up however long it was of her time simply to give someone practice?---No, I didn't ask that question.

40 Did she say to you well, look, quite frankly I'm a bit busy. If it's just for practice why are we bothering with this?---No. There was no comment made of that.

So when you said Fatima is simply doing this for practice, what did the Human Resources officer say back to you?---I don't recall the exact words but we continued on with the process.

THE COMMISSIONER: Mr Andjic - - -?---Yes.

My understanding is that there is a fairly strict procedure that one follows for the purposes of complying with what's called selection process in the public service?---Correct.

Do I take it that the panel had previously met in order to carry out a cull of the applicants for the purposes of determining who was competitive for interview?---There was no meeting as such.

No. Well, it can be done on the papers?---Yeah.

10

But was there a cull of the applicants so that the committee, the interviewing panel was satisfied that the people that they were actually interviewing were competitive?---Commissioner, the – there was three applicants that was put into place so the cull was the three was going to be moved forward.

What, so there were only three applicants for the position?---Correct.

And so you decided to interview all three?---Correct.

20

MR BRADY: So you say in those circumstances that you knew that she wasn't going to get the job?---Correct.

That you were doing it wholly and solely on the basis of giving her a bit of practice?---Yes.

And that you told the convenor that Fatima's interview was wholly and solely for practice?---Correct.

30

Nothing more?---Nothing more.

And that she would not in any way, shape or form be considered for the position?---Correct.

Commissioner, I need to make an application in relation to a transcript of 23 April, 2015.

THE COMMISSIONER: Yes. The order made under section 112 in relation to the transcript of 23 April, 2015 is varied to the extent that is required by the questions to be asked by Counsel Assisting.

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THE ORDER MADE UNDER SECTION 112 IN RELATION TO THE TRANSCRIPT OF 23 APRIL, 2015 IS VARIED TO THE EXTENT THAT IS REQUIRED BY THE QUESTIONS TO BE ASKED BY COUNSEL ASSISTING

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: You gave some evidence about this recruitment process in an earlier hearing?---I believe so, yes.

And you were obviously attempting to tell the truth there?---I, I, yes.

And you did tell the truth, right?---I hope I did, yes, like in respect to it.

You were asked questions about this at page 70.

10

MR OATES: Commissioner, I seek access to that document if you please. I of course have some notes but they're not going to be as perfect as transcript if I - - -

THE COMMISSIONER: Yes, certainly.

MR OATES: - - - am going to follow this cross-examination.

THE COMMISSIONER: Yes, certainly.

20

MR OATES: This examination.

THE COMMISSIONER: Have we got a spare copy?

MR BRADY: Of course, thank you, Commissioner.

MR CHALMERS: Sorry, Commissioner. Chalmers, solicitor for - - -

THE COMMISSIONER: Yes, Mr Chalmers.

30

MR CHALMERS: - - - Ms Hammoud. Could I also make an application for access to that private transcript. There reason being that I will have – I may well do some cross examination and I need to have the full context of that document.

THE COMMISSIONER: Yes. Well when we – can we, can we just pursue this for the present time, Mr Chalmers and when you're in a position to start to cross examine we'll see where we go from there.

40

MR CHALMERS: Thank you, Commissioner.

MR BRADY: In fact, what I might also do is I might just give the witness a copy just so - - -

THE COMMISSIONER: Yes.

MR BRADY: - - - the witness can follow what I'm putting to him.

THE COMMISSIONER: This is page 170?

MR BRADY: This is page 70, page 70. Can I get you to go over to page 69 to start with. Do you see at the bottom of that you've been asked a question obviously about the team and her working for you?---Sorry, I'm just reading it, sorry.

Just satisfy yourself that that's what it's about?---Yes.

10 All right. And you see the bottom and she was acting as a, as a, I think you've described her as a mentee or you were a mentor?---Correct.

And said, yeah, for a few months. Can you see that?---Yes. Yes.

And you say that that's true?---Correct.

Can we go over the page. Then how was it that you were on the selection panel for the position of development manager in July, June/July, 2013? Do you see that?---Yes.

20

Well it was under my area? Right?---Correct, yes.

Well you were on the selection panel is asked and you said "Yes". Right?---Yes.

And you selected Fatima and you asked for and the question was then interview and you said "I selected three members, yes". Right?---Correct.

30 Fatima, Neil Murphy and who was the other and you said "John Grieves". Do you see that?---Yes.

It goes on to say whether it was development manager or development officer. You see that?---Yes.

And talking about the rank that Neil Murphy held?---Correct.

And whether it was equivalent then the position to Martin Gordon?---Correct.

40 And you were then asked this question at 32. So Fatima was being interviewed for a position that was maybe two or three ranks or grades above the work that she'd been supervised by you for. And you say "Ah." He then says "I'll put it another way". You say "Yes, please." "Apologise, I'm sorry, that was complicated". "Yeah". He then asks, "You had been supervised you said before on some projects as a project manager" and you answer, "Yes". See that?---Yes.

"Not very often, not very much," you answered "Yes"?---Ah hmm.

You then are asked this question “But you thought she was worthy of being interviewed for the position of development officer along with Neil Murphy”? That’s what you were asked. Right?---Yes.

Today you say don’t you, that you weren’t interviewing her for the position of development officer. Right?---Correct.

10 You say today that this was simply a practice for Fatima. Right?---Correct.

And that she wasn’t worthy of being interviewed for the position of development officer along with Neil Murphy. Right?---Not for the position but she was for the interview.

She wasn’t worthy of being interviewed for the position of development officer along with Neil Murphy, you say that she wasn’t?---No.

20 You agree with that?---I agree and I apologise – I misunderstood the statement previously.

Sorry, hold on a second, let me just work this out. What you said when you were asked that specific question under oath on the last occasion was “And John Grieves, yes”, right, that’s what you answered?---Yes.

You were saying there under oath that Fatima was worthy of being interviewed for the position of development officer along with Neil Murphy and John Grieves, weren’t you?---I was saying that in the context that all three were going to be interviewed.

30 THE COMMISSIONER: Well, can I just go the next question?---Yes.

So the question was, “But you thought she was worthy of being interviewed for the position of development officer along with Neil Murphy,” and John, your answer is “And John Grieves, yes,” and the next question was “You thought that was a fair decision,” and you said, “Based on the information that I received.” Well, what did you mean by that answer “Based on the information that I received I thought it was a fair decision”?---Sorry, that wasn’t just relating to Fatima as well. The question, the way that question was answered on my behalf was relating to all three candidates.

40 Well, yes, but implicit in that is that – implicit in that is that all three candidates supplied you with information - - -?---Correct.

- - - that made their respective interviews a fair decision, that’s what it says isn’t it?---The way it’s worded, yes.

Well, it’s not a question of the way it’s worded?---Sorry, yes, yes.

That's what it says doesn't it?---Yes, yes.

Well, there's nothing in there at all about Ms Hammoud going through this exercise as a training, for a training purpose is there?---Not there, no.

Why not?---Ah, I don't believe the question was asked in that respect so, the question was asked was it a fair, sorry, the way I read the question at that time was was it fair to put everyone forward and I believed it was at that time.

10

MR BRADY: Well, when you were asked on the previous page, "But you thought she was worthy of being interviewed for the position of development officer along with Neil Murphy" - - -?---Yes.

- - - and you add, "And John Grieves" - - -?---Yes.

- - - why didn't you say well, in fact no, we weren't actually interviewing her for a, we were just doing it for her practice?---It just didn't come out at that time.

20

Well, it's beyond not coming out?---Yes.

You've in fact agreed with the proposition that you thought she was worthy of being interviewed for the position of development officer?---Oh, I don't deny that, yes.

Why the change?---There is no change, that was always the case but I just didn't elaborate it at that time.

30

It's not a question of not elaborating, you've actually stated expressly that you thought she was worthy of being interviewed for a development officer alongside Neil Murphy and John Grieves, right?---Correct, everyone was worthy.

That's expressly stated there, right?---Correct.

Why not say actually no, we were just doing it for practice for Fatima?---
Why not say that?

40

Yes?---Because it wasn't asked the question in that respect, I know, I understand where you're coming from but in the circumstances I was like probably nervous or, or the likes and it's probably not an excuse but thinking about it that's the whole process.

THE COMMISSIONER: Mr Andjic?---Yes, sorry.

Think very, very carefully now - - -?---Yes.

- - - before you answer this next question?---Okay.

Have you discussed this topic with your wife?---The whole recruitment process, no.

The circumstances of her being interviewed for this position, have you discussed it with your wife?---Recently or previous?

10 At any time since 23 - - -?---Since, okay, sorry.

- - - of April?---No.

Are you sure about that are you?---Yes.

MR BRADY: So the difference between your evidence today and your evidence on 23 April is what, you've now remembered it?---It's not that I now remembered it, now this is another occasion and an opportunity for me to actually tell you what's happened so - - -

20 Well, there was plenty of opportunity on the last occasion to talk about this recruitment process wasn't there?---Yes.

You weren't being cut off?---No, I wasn't.

You were able to say your answers weren't you?---Correct.

And in fact not only that but you were then asked about whether or not you declared your conflict, do you see that at the top of page 71?---Correct.

30 And you said, "I did." "Who did you declare it to?" and you said, "To the sitting convenor with me," right?---Yes.

"Who was that?" "There was HR, Helen Doherty," do you see that?
---Yes.

"So how did you declare it?" You said, I spoke to her. I said, well, this says that "I have a, a, well, not a conflict but I have a declaration of me knowing the - I have a relationship Fatima and Neil as part of this." Do you see that?---Yes.

40

It goes on to say you, "So you told him," sorry, "told her that you, you were having a relationship with Fatima," and you say, "And Neil as a friendship but with Neil." See that?---Yes.

"So you didn't put that in writing?" You say, "There was no need at the time. Later forms yes, it would have been declared but the whole process got stopped."?---Correct.

You were then asked, “Why was it stopped?” Do you see that?---Yes.

“Because I got a phone call so that they’re asking about there was possibly a, a relationship issue um, and I said to my manager well, we’ll stop the process if you’re in agreement with that and they said yes and that’s what happened.” Right?---Correct.

10 You’ve been given plenty of opportunity haven’t you to say well, in relation to Fatima it was simply a practice for her?---Considering the moment it was pretty much a lot of pressure on me at that time.

You were given plenty of opportunity to say weren’t you in relation to Fatima it was simply a practice for her?---The questions were coming left, right and centre but yes, if you say that.

It’s not a question of whether I say that?---Yes.

20 It’s a question of whether or not that in fact the case. You were given plenty of opportunity to say in relation to Fatima it was simply a practice?---Yes.

You didn’t say that because that wasn’t the truth?---No, that’s not the truth.

THE COMMISSIONER: Sorry, what’s not the truth?---In that respect, his question. I didn’t say that. I just, sorry.

Well, we have two versions here, Mr Andjic?---Mmm.

One is a version you gave on 23 April - - -?---Correct.

30 - - - where in you said that Ms Hammoud was competitive for the position? ---Mmm.

She was worthy of interview, right. The other version we have is the evidence you have given today that you recognise she was not worthy of the position but that she was undergoing the interview as a form of training? ---Correct.

Right?---Yes.

40 Those two things are inconsistent are they not?---Yes.

So which one is it, which is the truth, Mr Andjic?---The truth is it was a training a process.

So why did you not say that on 23 April?---I don’t know. I – sorry.

MR BRADY: You see, because at line 38 you’re asked this, “So why would you have to declare a relationship of mere friendship? And you say

this, "I declared with as well as with Neil Murphy because they were part of my team, originally part of my team so I had to declare it to make sure that the HR person knew that I had this relationship with these two people on the panel." Do you see that?---Yes.

You're making it perfectly clear there aren't you that both Mr Murphy and Ms Hammoud were legitimate candidates, right?---Well, okay, yes.

10 Well, that's right isn't it?---Sorry, that was right?

Yeah, that's what you, you're making it perfectly clear they're legitimate candidates, right?---Based on that transcript, yes.

And in fact it goes on to say, "Well, they work in your office. It's a small office." And you've said, "Yeah, it doesn't matter, I still had to declare it." Do you see that?---Yes.

20 Again, absolutely nothing to indicate that Fatima Hammoud was just doing this for practice?---Correct.

And in fact over the page you were asked this, "What did she tell you to do?" And that's in relation to the HR person, right?---Ah hmm.

"All right. You've declared it accordingly. When we sign off on at the end we'll, we'll right it accordingly as a report within the report." Do you see that?---Correct.

30 Absolutely nothing to indicate that you told the HR person that in fact Ms Hammoud was not a legitimate candidate?---I know I declared it accordingly.

What you declared you say here is simply your friendship with Neil Murphy and Fatima Hammoud as part of your team, right?---Based on that transcript, yes.

Well, based on the transcript, they were your words. You understand that, right?---I understand, yeah.

40 That's what you said?---Correct.

Nothing in there about the HR person being told that for Fatima Hammoud it was simply a practice run?---No, nothing in that transcript, no.

And you would accept wouldn't you that in fact it appears to point comfortably to the fact that during the course of that evidence that you gave Fatima Hammoud was a legitimate candidate, right?---Based on that transcript and how it came out, yes.

You mean based on what you've said?---Yeah, previously.

And you say your change has absolutely nothing to do with having spoken with your wife?---No, because it was always going to be a training process.

Okay. So in any event you were infatuated with her by 8 July, 2013?
---Correct.

10 You didn't need to declare that because it was just going to be a training process?---Well, yes, for the, for the recruitment.

Well, why did you declare your friendship at all then if in fact it was just going to be a training process?---I had to declare people who were within my group that were going for the role to ensure that they, that Helen knew who was going for that role and that I knew of them.

20 But you didn't need to declare your friendship for Fatima because she was never going for the job?---It doesn't matter. I did the process and the protocol in that respect.

Is that because you understand the necessity of following protocol in relation to conflict of interest?---I know of it, yes. Sorry, do you want – was that a question?

Do you want me to ask it again?---Yes, please, if you don't mind.

Is that because you understand the necessity of following the protocol when declaration conflict of interest?---Yes, there's a protocol.

30 Well, why didn't you go further and say and in fact I'm infatuated with this woman?---It was going to be written in a report but the infatuation process wasn't going to be part of that.

Why not?---Because I didn't believe at that time that it was going to go any further so I left it as is.

When you say not going to go any further, you mean Fatima wasn't going to be in any way, shape or form a prospective candidate?---Correct.

40 No doubt about that?---100 per cent.

And from 8 July onwards - - -?---Yes.

- - - she therefore wasn't a prospective candidate?---No, wasn't a prospective candidate but I was just getting all the paperwork ready for it to ensure that the report was written in accordance with what needed to be written.

Sorry, I don't understand what that means?---So I was gathering all the information together in respect to it so a report could be written to justify why there was no reason why she wasn't going to go ahead.

Sorry, I thought you were saying that she was doing this just for practice?
---Correct. Yes.

And that you made it perfectly clear to everyone she was doing it just for practice?---Correct.

10

You made it perfectly clear to the person in HR she was doing it just for practice?---Correct.

And that she was never going to be considered for the job?---Correct.

Why couldn't you just write she was doing it just for practice, she was never going to be considered for the job, and look at the other two?---The reason I didn't write the report in that respect was the whole process got stopped.

20

All right. But in any event, what you wouldn't have had to do is go around trying to find her referees, right?---No, that's, that's not correct. I noticed that on the other candidates they provided the referees in that respect and I told Fatima I think it's a good idea for you to send me that as well to keep a consistency.

Why?---Call me OCD. I just wanted to make sure that it was – everyone had – was consistent in respect.

30

Well, if it was OCD, and you'd mean Obsessive Compulsive Disorder, right?---Yeah. Sorry.

To try and keep everything absolutely clear and straightforward?---In that, yes.

So that everyone knows exactly where they stand?---Yes. Correct.

Fatima was never going to be considered as a candidate?---Definitely not.

40

You made that perfectly clear?---Yes.

Why in the world do you need to go and try and find her referees?---Like I said, it was keep it consistent with the other members of the panel on the report.

Why did you need to keep it consistent with the other members if in fact she was never going to be considered for the job?---Just I guess my – like I said, it's my personal view.

Yeah, what I'm asking is why did you have that personal view if she was never going to be considered for the job?---I don't know. It's just my personality in terms of getting it like, ticks in the box.

Well, it's your view isn't it?---Yes.

Why do you need to get that tick in the box if in fact as soon as the interview process had been finished there was no doubt she was never going to be considered for the job?---Correct. Yes, that's right.

10

Why do you need to go and find her referees?---That's my personal – I wanted it personally.

Why?---Just I wanted it, that's it, that's the reason why, to make it consistent with the other candidates.

The other candidates who were actually legitimate candidates?---Correct.

Who were actually going to be considered for the job?---Definitely.

20

Who we removing forward for the job?---Correct.

Fatima not considered for the job?---Correct.

At all?---At all.

Not moving forward whatsoever?---No.

30 Why in the world does it need to be consistent with the other two who are?
---Because like I said it's for my personal, it was me personally, I could have said no, don't worry about it, whatever it is but me personally I just wanted to make sure that it was consistent.

Well, in fact not only is it not, not only did you not say I don't need it, you actually sent her an email asking for them?---Correct.

And you sent her an email asking for them after the interview?---Correct.
Oh, at the interview oh, yes. Correct.

40 Why did you send her an email asking for her referees after this interview for a job that she was never going to be considered for?---Like I said it was a tick in the box for me.

THE COMMISSIONER: Mr Andjic, apart from you say telling members of the interview panel that Ms Hammoud was undergoing the training exercise - - -?---Yes. Sorry.

- - - was it actually written down anywhere?---No.

Was it documented?---No.

But why not?---Because that's part of the recruitment process. Right at the end there's a declaration and a submission relating to that and that's when it was going to be written as part of that, as a report.

I don't understand what you mean by that. When you say - - -?---Sorry.

10 - - - there's a declaration - - -?---Yes.

- - - is that, are you talking about the process whereby the choice that the interview panel makes for the successful candidate is written up?---Yes, there's, as part of the process, I think it's a multi-stage process and one of the stages which is right at the end is to ensure there's a declaration put into place if there's any conflict of interest and any reports relating to that to be submitted in accordance with that.

20 Well sorry, now you're talking about a conflict of interest declaration are you?---Ah, it's not conflict, a declaration form. I can't, I don't recall the exact words of it, sorry.

Well, what I'm trying to focus on is that the interview panel, if there's more people than are competitive for the position usually conducts a cull?---Yes.

If not they interview everyone who applies?---Yes.

30 The applications by those persons are circulated to everyone in the panel?---Correct.

The panel meets and the panel determines what questions they will ask of people?---Yes.

And those, all those questions are written down as part of the selection process aren't they?---Correct.

And then each person is interviewed and they are each asked exactly the same questions?---Correct.

40 And then after the interviews are concluded the panel has a discussion about the relative merits of those applicants and who is more competitive for the position?---Yes.

Is that right?---Correct. Yes.

And all of the reasons for the ranking of those respective applicants including for example someone who might be put on an eligibility list they're all written down as well aren't they?---Correct.

Did that happen in this instance, the interview panel after the interviews met and recorded their respective rankings of these applicants?---No, what happened was um, the interviews took place and then we, myself and Helen separated like, because, probably time restrictions. I don't, I can't recall why. And we were going to reconvene in terms of putting everything together, so that report, that ranking process and the likes but I got the phone call saying that the whole process should be stopped so it probably didn't happen formally. Informally maybe amongst ourselves before we
10 convened together to actually get an actual thing, that didn't happen.

So nowhere in any of the records that were kept by the interview panel was there any written reference to Ms Hammoud undergoing this interview as a training exercise?---Not that I can recall, no.

Well, it's either in the written records or it's not but you say you can't remember whether or not someone wrote it down?---I can't recall if someone wrote it down, no, sorry.

20 Well, can I ask you this – when Ms Hammoud was interviewed did anybody say, “Now, we appreciate that you're doing this interview for the purposes of gaining experience but we're going to ask you the same questions and we hope that you benefit from this?” Was there any reference to that fact during the interview?---No.

So by the time the interview's concluded Ms Hammoud, who at that time did not know that you were infatuated with her could have as it were turned around and said why wasn't I legitimately considered for this position, I went through precisely the same competitive process as everybody else and
30 now I'm being told that I was never in the running. That was always a potential problem wasn't it with the way this process was undertaken?---No. The whole premise of her approaching me happened all before the actual jobs got let as far as, from memory. So before the job was released for processing she approached me and said, “Oh, can I use this as a training session?”

Yes but, you see, without there being some recording of that fact in the course of the interview process - - -?---Yes.

40 - - - there was nothing to prevent Ms Hammoud in effect changing her mind and deciding that she wanted to be considered as a serious applicant for this position and you had nothing documented to demonstrate that the clear and present and transparent understanding was that she was only going through the interview as a training exercise?---Ah, nothing formally documented, no.

Right.

MR BRADY: You indicated that she approached you before it got released?---Yes.

One is assuming before it was released that there was going to be this position?---No, the position was always going to be, going to be released for months and months beforehand. There was probably a number of years that I was trying to recruit for that position. So there was an indication that I think amongst the floor, I can't say if it's the floor or the team that there was going to be a recruitment process and that's when she approached me, yes.

10

Did you then help her with her - - -?---I did.

Why?---Ah, because she said she wanted to get a better understanding of how to write submissions and the likes and I said, "Okay, no worries. I'll help you based on the premise that you're not going to get the job."

Right. So when you're helping her with her submissions you're saying but of course this is all just for practice?---Correct.

20 How long did you spend therefore on those submissions with her just for her practice?---Ah, I don't know the exact amount of hours or thereabouts. Um
- - -

At the very least a number of hours?---Well, what I've provided to her was um, insight on how to write um, answer questions and the likes.

Was it for a number of hours?---It could have been.

At work?---Um, possible.

30

All for her practice?---Yes.

And did you do that for her because you were infatuated with her?---Possible, yes.

Now, did you do that in May, 2013?---I can't, for that I can't recall dates. But if that's prior to the actual release of the um, the job being advertised then yes.

40 Does that mean that you were in May, 2013 infatuated with her?---Um, not infatuated. Liking her, yes. And it became an infatuation.

When did it become an infatuation?---During the course of doing the, obviously discussing with her about her job and the likes and we just, we just became closer.

All right. Over what period of time?---I, I can't tell you that exactly.

We know you were infatuated with her by the 8th of July because you've told us, right?---Yes. Definitely.

So how long before that did you start to become infatuated with her?---I liked her a lot um, previously. Definitely. I won't deny that.

10 Yep. Well, previously, definitely, what does that mean?---I don't know the exact timing. I can't give you the exact timing. It could have been a month, two months, three months. I can't give you that exact timing because it's, it's feeling that I liked her and I wanted to be with her like, around her.

Well let's see if we can narrow it down a bit?---Yes.

Was it before you gave her a job assisting you as a project manager?---I liked her, yes.

You liked her before that?---Yes, I liked her. Yeah.

20 In what way did you like her before that?---As an individual.

Yeah well, romantically or did you become a couple?---No well, no, as good friends. Liked her, she's a female, I'm a male. The obvious.

Well Mr Andjic, you do know don't you that part of this issue is whether or not you've given favour affectively now to family?---Yes, that's right.

You understand that don't you?---Totally.

30 You understand therefore the importance of us working out when it was that you and Fatima became a couple, right?---Of course, yes.

You understand therefore the importance of working out when it was that you started to want to be a couple with her?---Correct.

And when you became infatuated with her?---Yes.

Well do your best to help us - - -?---I'm trying.

40 - - - with that?---Yes, I'm trying. Sorry, Mr Brady, I'm trying.

Well, before she started working with you were you infatuated with her?--- Before she started working with me, not infatuated with her, I liked her.

In what way did you like her, that is did you want to be a couple before she started working for you?---Ah, I don't know being a couple but I liked to be around her. To my opinion she's a beautiful girl and I found her very attractive and the likes.

What you say though is that without a shadow of a doubt you weren't a couple before 8 July?---No, definitely not.

And you didn't let her know that you liked her?---Well, I was flirting a lot with her so I don't know if that's any indication.

Well when's the flirting start?---Ah, the flirting starts, I don't know, like when exactly it started. It would've been probably – I can't give you that answer. Sorry, Mr Brady I just - - -

10

Well was it before she started working with you or after she started working with you?---Probably flirting before.

How long before?---I can't give you that answer, sorry. I don't know, I can't recall.

Did you think that if it was before that might've been a problem then in fact offering her a job as a project manager under your supervision?---During the mentor process is that - - -

20

Yeah?---Someone else approached me in that regard I didn't approach anyone else. So that, that came to me as opposed to me chasing that.

Did you not think that was going to be a problem if in fact you'd been flirting with her - - -?---No.

- - - that she would then become under your supervision?---No. I don't believe so.

30 All right. Just before I finish with the recruitment process and we'll then go to the interview, at page 71 of that document you have in front of you do you see about line 26 the words why was it stopped?---Ah hmm.

“Because I got a phone call so that they're asking about there was a, was possibly a, a relationship issue, um, and I said to my manager, well we'll stop the process if you're in agreement with that and they said, yes, and that's what happened?---?---Correct.

40 What did you mean by “There was possibly a, a relationship issue”?---That was what was told to me when I got the phone call from my, is wasn't my manager but it was the, the senior director.

Who was it?---Jane Ridley called me.

And?---And she said “There's an issue with the recruitment process. There's been” again I can't give you the exact words of it in that respect. And they said “There was a relationship issue. These are the people that

told me about it” and I said “I agree, let’s do something about it. Let’s stop the process”.

Well what did she say, this is a relationship issue, what did she say to you?--
-Like I said I can’t recall the exact conversation.

Did she say, people are saying that you’re in a relationship with Fatima?---
That wasn’t the actual discussion. There was – with a member of the panel.

10 That you were in a relationship with a member of the panel?---That there was a relationship and there could’ve been a possible conflict with a member of the panel.

Well you knew who she was talking about. Right?---Well, it would’ve been Fatima or Neil but more so probably Fatima.

You’re not seriously suggesting she might have been talking about Neil Murphy, are you?---No. I’m not saying that but if a relationship – a relationship could be friendship.

20

Well why didn’t you say to her, if they’re talking about Fatima Hammoud it just doesn’t matter because she was only ever doing it as practice and she is not a legitimate candidate?---Because she want to discuss that over the phone.

THE COMMISSIONER: Sorry, who’s she?

MR BRADY: Who didn’t want to - - -?---Discuss anything. Jane Ridley. She did not to discuss the matter over the phone.

30

Well why didn’t you say to her, look, rather than stopping the whole process there’s obviously been a misunderstanding, can I see you about that?---My relationship with Jane wasn’t as open as that.

Well you say that this whole process with Fatima had nothing really to do with the recruitment process. Right?---Sorry, the whole process?

Yeah. With Fatima. It was a practice run for her only?---Correct. Yes.

40 She wasn’t ever considered?---No.

That’s what you say?---That’s what I’m saying, yes.

This whole recruitment process is therefore stopped because of a relationship issue which you know is you and Fatima, why don’t you just say well there’s no need to stop it she was never a real candidate?---True. In hindsight I should have.

Well why didn't you?---I don't know.

It's because she was a real candidate, isn't it?---No. That's wrong.

And in fact not only was she a real candidate you decided, didn't you, that you were going to recommend her for the job?---No. That's, that's not true.

10 Did Jamie Maslen talk to you about his concerns about the relationship between you and Fatima?---During the course of the recruitment possibly, I'm not sure. But prior to that, no.

Well, during the course of the recruitment when you say possibly, just do your best to remember whether or not the person who was your boss at that stage - - -?---Okay.

20 - - - came to you and said, look there's an issue about your relationship with Fatima who you've just interviewed?---The whole – let me tell you what happened. Jane Ridley rang me up, I told her that we're not going to go ahead. I asked her who approached her in that regard she said, Jamie Maslen. So I went up to Jamie Maslen and I said to him "Jamie, do you have an issue with that"? He says "No. I don't have an issue, someone else provided me with that and I have to do the whole process and protocol in that respect".

When you say you said to him, do you have an issue with that, what was with that?---With the recruitment.

30 All right. And what did you ask him?---I asked him "Jamie, do you have an issue with the recruitment process"?

And he said, no, not at all?---No. He never said "No, not at all". He says "It wasn't me that raised the concern it was another individual that raised the concern and I have to do it as director in my process and protocols". Whatever he had to do.

Well, when he said to you, it wasn't me that raised the concern someone else raised the concern, did you say to him, what was the concern?---Yes. I did.

40 And what did he say to you?---I can't tell you. Not I can't tell you, he said, "I can't tell you".

THE COMMISSIONER: He said I can't tell you?---Yeah. Sorry. Not me.

MR BRADY: He said I can't tell you what the concern is?---Yes.

Well did he ever say to you there's a concern about your relationship with Fatima?---Not from memory, no.

Well by the stage where he's saying to you I can't tell you, you must've realised that it was something to do with your relationship with Fatima. Right?---Possibly, yes.

Why didn't you say to Jamie, look if it's in relationship to Fatima, let me to tell you she was never going to be a candidate for this. Why didn't you say that to your boss?---It didn't come to light to me. My relationship with Jamie broke, as broke, well broke, was broken down at that time.

10

Didn't come to light to you. What do you mean it didn't come to light to you?---Like obviously when the recruitment process came through and the (not transcribable) got stopped and he said "That there's an issue" and he says "I can't talk about it" straight away I said to myself, all right, fair enough. You don't to talk about it that's fine. And then he asked for the documentation and I said "I'll give it to HR accordingly". And that, that was it, that was the extent of our conversation between myself and Jamie.

20

Because clearly you must've thought by that stage, look there's been a complete misunderstanding about this whole process?---Yeah. And that's what I always said.

But you never told anyone, look, there's been a complete misunderstanding about this process?---No. Because at the end of – during that time I didn't realise you know what was going on in that respect. The whole process was being stopped and I said "All right. Fair enough. It's stopped, we'll start again sometime later in the future". Because this is not the first time it got stopped that's why. It's just common practice now. So previously - - -

30

Not common practice for someone who was actually on the panel to be accused of being in a relationship with someone who is being interviewed. And the whole process to be stopped as a result of that, is that?---No.

So let's go back. Before Fatima started working with you?---Yes.

You weren't infatuated with her?---I liked her.

You weren't a couple?---No.

40

You weren't acting as a couple?---I don't believe we were acting as a couple as such.

Well in – let's say from July, 2012 through to December, 2012 some two months before she starts working with you, you weren't acting as a couple?--I don't know if it's a couple. We used to go out, yes.

How often?---I don't know how often that was. I don't recall.

Well how often did you need to speak to her for work between July, 2012 and December, 2012?---Sorry, Mr Brady, I can't recall.

Well give us a ball park figure of how often you would need to talk to her for work?---I would like to talk to her every day.

How often would you need to talk to her for work?---Ah, for work, work related?

10 Yep?---Probably rarely.

Because during July, 2012 to December, 2012 you weren't her supervisor?--
-Um, no.

She was in procurement wasn't she?---Correct, yes.

So for work you wouldn't need to speak to her very often at all would you?--
--No, it's just work related in terms of loading tenders or whatever it might be. Yeah.

20

You would speak to her while you were at work?---Yes.

You might send an email?---Email, yes.

Would you telephone her?---Probably.

Would you send her SMSs?---Yes.

What for?---Oh, just chit chat. Flirting.

30

When did that start?---Oh, that I can't recall, Mr Brady, sorry.

Well when you say chit chat, flirting how often would you send her SMSs in July, 2012 through to say December, 2012?---I don't know how, how often. We got into a conversation, if a conversation went in, it could have been a number of times. Like, it could have been 20 times. It depends on the conversation that was had.

40 By February, 2012 when you're awarding the contract to Triton you and Fatima are a couple aren't you?---No.

MR CHALMERS: Um - - -

MR BRADY: At the very least you're making it perfectly clear aren't you that you want to be a couple?

MR CHALMERS: Sorry, Commissioner. I think that should be February, 2013?

MR BRADY: Oh, did I say '12?

MR CHALMERS: You said '12.

MR BRADY: If I said '12 then I withdraw that.

THE COMMISSIONER: Yep. Put the question again.

10 MR BRADY: Thank you. By February, 2013 when you award the contract to Triton you and Fatima are a couple aren't you?---We're not a couple, no.

If you're not a couple you at the very least wanted to be didn't you?---Me?

Yes?---I was infatuated with her. Yes, I won't deny that.

You wanted to be a couple by February, 2013?---I don't know if I wanted to be a couple but I was infatuated. I like, yes.

20 So at the time that you're awarding this contract to Triton you were infatuated with Fatima Hammoud?---I liked her, yes.

Well were you infatuated with her at the time you're awarding a contract to Triton in February, 2013?---Infatuation's a strong word. It's - - -

THE COMMISSIONER: Well Mr Andjic - - -?---Sorry.

- - - you were the one who first used it and you used it by way of distinguishing between being good friends and going further by way of an infatuation?---Yes.

30 So you used it in that sense?---Okay, um, I - - -

So let's get back to February, 2013?---Yes.

Were you infatuated with her at that time?---No, we were very good friends.

Right.

40 MR BRADY: In any event by that stage you'd been flirting with her, right?---Definitely, yes.

And quite significantly, right?---Yes.

You'd sent her for example love songs, hadn't you?---Yes.

And in fact the first love song you sent her was in August, 2012 wasn't it?--
-Probably, yes.

So in August, 2012 you were sending a person who works for Asset Management Branch a love song, right?---Yes.

She was significantly more junior than you wasn't she?---Yes.

10 Were you doing that because you wanted to be in a relationship with her?---
Going back now in memory the reason why that love song was sent, not,
wasn't directly to her. I don't believe so. It was can you, what do you think
of this song.

So on the – let me put it to you?---Yes.

The 7 August, 2012 you send Fatima Hammoud a love song to say what do you think about it?---Yeah, about the song.

When you were declaring your interest on 8 July, 2013 to the human resources officer when you were doing this recruitment process - - -?---Yes.

20 - - - you were saying effectively, "I know Neil Murphy and Fatima Hammoud," right?---Correct.

"I'm friends with Neil Murphy and Fatima Hammoud"?---Correct.

That is basically putting them and your relationship with them on a par, right?---Oh, it was a general comment, yes.

30 No doubt you didn't send Mr Murphy love songs in August, 2012?---I don't recall if I did or I didn't. Um, possibly not.

Mr Andjic?---No.

In August, 2012 were you going out on dates with Fatima Hammoud?---I was going out, yes.

Would you call them dates?---Um, lunches, possibly yes.

40 THE COMMISSIONER: Was that with her and you alone or was it in a group of people?---A mixture. So - - -

So in August, 2012 you would go out to lunch in a group of people?---A group of people. Maybe with her on our own. But it's normal practice.

MR BRADY: When you say normal practice what do you mean it's normal practice?---Well, I would go out with other people on my own as well and - - -

All right. In August, 2012 did you go out on a date with Fatima Hammoud?---I don't recall.

Well you see, you've said earlier that the first date was in August, 2013, right?---For official, to make, to make it official that we're going out, yes, August, 2013.

Ah hmm?---So in other words like, going to the next stage of our relationship.

10

THE COMMISSIONER: Mr Andjic, you'll have to bear with me. I'm not of your generation. What do you mean by to make it official? Was there some kind of declaration of commitment or something that differentiated August, 2013 from August, 2012?---Yeah, it was. Like, at the end of the day I said to her like, "Would you like to have a relationship with me," you know, "A lot more serious." And that was, that was like the declaration. It was more like, it wasn't a written declaration obviously but it was like, "Would you like to go further with this relationship?"

20 But you've said that in August, 2012, as I understand it from Mr Brady's question - - -?---Yes.

- - - that you did go out on a date with her in August, 2012 – or sorry, you said, "I don't recall"?---I don't recall the exact timings or whatever it is but I have gone out with her, yes.

30 Right. Well, when you say you don't recall whether you went out on a date in August, 2012 when Mr Brady uses the term "date" do you understand that to mean that you possibly in August, 2012 took Ms Hammoud out somewhere on your own together - - -?---Yes.

- - - with some romantic intentions towards her? Is that how you understand it?---Ah, leading towards that, sorry, yeah.

I'm trying to understand the terminology?---Yeah.

40 Is that what you mean?---I meaning getting to know that person a lot better, yes, if that's, if that's what you're, what you're implying. Sorry, not implying - - -

Well no, I'm implying more than that?---Yeah.

You see, you can go out with someone to the football and have no intention of commencing a romantic association with them?---Yes.

Or you can take someone to dinner - - -?---Yes.

- - - with the intention that you have some romantic involvement with them at some time in the future. Now, that's, I'm sorry, that's my understanding of what's meant by date?---Okay.

Can we agree that that is your understanding or do you have some different understanding?---Um, if it's, yeah, a date is a date. That's what it implies, that we're leading to something romantic, yes.

10 All right. So is it possible that in August, 2012 you did have such a date with Ms Hammoud?---Not in respect of leading into a relationship, no.

All right?---But going out, yes. I don't deny that.

MR BRADY: I might just show you an email if I can?---Yes.

2084. Now, you see that's an email of 21 August, 2012 at 12.30pm?---Yes.

From you to Fatima, at the bottom?---Yes.

20 You're referring back to another email where you're talking about some work. Do you see that?--- Yeah.

And then you say, "Boring, yeah, for sure"?---Yeah.

That last paragraph, "Now, it's going to be out of the blue and say what are you having for lunch? I would then say to you do you trust me and I would take you somewhere different and spontaneous"?---Ah hmm.

30 "But I figure you may still be uncomfortable about all the stuff that has been alluded to so until then I will wait"?---Yes.

Now first, that's you inviting Ms Hammoud out for lunch, right?---Correct.

Indicating to you if she trusts you you'll take her somewhere different and spontaneous?---Yes.

40 What does, "But I figured you may still be uncomfortable about all the stuff that has been alluded to," mean?---There were continual innuendos and rumours floating about not just with Fatima but with other female members that I, that I was having flings with everyone. So that's what that was alluding to.

So even in August, 2012 do you say that there were rumours about you and Fatima?---Definitely.

And is that as a result of the fact that you were spending a lot of time with her?---Not necessarily spending a lot of time with her. Probably the way I

was talking to her or, and the likes um, discussing on the floor, whatever it might be. I don't know. I can't tell you exactly how or why.

Well, you see above that she responds saying, "Great, thank you"?---Ah
hmm.

"Whatever your heart pleases"?---Yes.

I would love to go to lunch with you. When do you want to go"?
10 ---Ah hmm.

She then says, "I am not uncomfortable. I just have to be careful
unfortunately"?---Yes.

What did you understand her to mean by that?---I believe – again, you're
going to have to ask her. I don't know what she actually meant by that, on
that respect but I can give you my interpretation of that.

Give us your interpretation?---I believe that she was considering her
20 background and the likes.

THE COMMISSIONER: Sorry, what does that mean?---Oh, her family
background in terms of the way she, I don't know, in respect to, how do I
put this in words, strict parents or whatever it might be.

But she's at work and she's being asked to lunch. What - - -?---Yeah, but if,
if you hear people, rumours and the likes, whispers talk and becomes
wildfire.

30 Are you suggesting that there was some familial or parental disapproval of
Fatima having a relationship?---You have to ask her that question but that
was my thoughts. That's, that's what I thought she was - - -

Right?---Yeah.

MR BRADY: Now, was that your first date?---Together?

What I mean by that is the way we've used the term date until now. Was
that in fact, 23 August, 2012 your first date?---Not a date as leading into
40 romantic, no.

Right. So nothing really changed after that?---No. Look, at the end of the
day we went out in groups, individually, whatever it might be and nothing
has changed in that respect, no.

Okay. After that lunch did you start texting Fatima on a regular basis?---I
don't know exactly when I started texting. It could have been before or
after, I can't – but I did definitely text her, yes.

Well, would it have been pretty much at that very time that you started texting Fatima on a regular basis?---It could, it could have been. I can't say yes or no. I can't recall.

And that's because – sorry, withdraw that. Suggest to you that you started texting her around that time because that's when the two of you started dating?---No. We never started dating at that time. We were very close friends. I, I don't deny that.

10

Well, were you very close friends as at 21 August, 2012?---It was leading towards that.

What I might do is I might just show you if I can page 2111. See the top there?---Yes.

Telephone calls?---Yes.

From you to Fatima?---Yes.

20

Do you see that it goes from 1 July, 2012 - - -?---Yes.

- - - to 30 September, 2012?---Yes.

Do you see that there are no calls or text messages before 11 August?---Um
- - -

Let me suggest to you that that's the start?---If that, if that's your suggestion, yes.

30

And there's a couple on 11 August, a couple on the 15th, one on the 16th and one on the 19th, right?---Yes. Yes.

Then what happens on 20 August, 2012?---I don't know. We just get – got into a conversation.

So from 20 August, 2012 on the – sorry, withdraw that. On 20 August, 2012 you text her 13 times?---Yes.

40

Do you see that?---Yes.

On 21 August, 2012, the time I want to suggest to you was your first date with Fatima, you text her 16 times?---Yes.

Do you see that?---Yes.

Including you might see at the bottom of page 2 at 1604, sorry 6.04pm?
---Yes.

8.09pm?---Yes.

8.30pm?---Yes.

And then over at 8.33pm the next page. You'd started dating her hadn't you?---No, not necessarily.

10 13 times on 20 August you text her, right?---Yes.

16 times on 21 August you text her, right?---Yes.

You went out to lunch on 21 August?---Yes.

Talking about things alluded to, right?---Yes.

She's saying simply she needed to be careful, right?---Yes.

20 But would love to go to lunch with you?---Yes.

You didn't start dating at that time?---Not romantically, no.

You see, from there if we go down to page 3, do you see the texts on 22 - - - ?---Yes.

- - - August continue?---Ah hmm.

Including at night - - - ?---Yes.

30 - - - at the bottom?---Yes.

Another 15-odd times that you're texting her during that day?---Yes.

Then the 23rd?---Ah hmm.

I count 35 times that you've texted her on the 23rd?---Yes.

Assuming that I'm getting that roughly right?---Mmm.

40 Two days after you go to lunch with her you are texting her 35 times in a day, right?---Yes.

As friends you say?---I could – sometimes I can text friends hundreds of times in a day but, yes.

All right. You see, all the way through, and we might just have a look at that, you text her many, many times every single day?---Yes.

THE COMMISSIONER: Sometimes these text messages, Mr Andjic, are no more than a couple of minutes apart?---Yes. We're in a conversation so -
- -

MR BRADY: See part of that is that a number of these conversations seem to be taking place during the day as well don't they?---Yes.

Every day?---Yes.

10 Right. Sometimes no doubt you would be at work?---Yes.

She would be at work?---Yes.

You'd be at work at the same place?---Sometimes.

Why are you texting her 35 times a day when you're working at the same place?---I was flirting with her.

20 So as at August, 2012 at the very least if you're not in a relationship with her you're pursuing her, right?---No, I was flirting with her.

Well, what's the purpose of flirting with her if it's not pursuing her?---Oh, it doesn't necessarily mean you're pursuing. I've flirted with other people before and it doesn't mean I'm pursuing them.

THE COMMISSIONER: Mr Andjic, let me just ask you this. Throughout this period of time when you were texting Ms Hammoud - - -?---Yes.

30 - - - at this frequency and you say you were flirting with her - - -?---Yes.

- - - was she returning your attention, was she responding – each and every time that you sent a message did she generally respond with one?
---Generally there was a response, yes.

And when you say you were just flirting with her - - -?---Yes.

40 - - - do you mean to say that notwithstanding that you were communicating with her in this way over this period of time you had no intentions to involve yourself with Ms Hammoud in a relationship?---No, that's, that's incorrect. There – I don't know if there was - - -

Well I'm trying to understand. You see you say I was just flirting with her?
---Yeah.

Again, you have to excuse me I'm somewhat old fashioned in that respect. I always thought that when you flirted with people you did so with the intention of engaging their affections and in affect commencing a romantic

association with them. Was that what you were doing?---I wasn't going down the path of commencing a romantic - - -

Well I'm trying to understand you see you keep using the expression, I was flirting with her?---Yes.

10 I want to understand what did that mean. Did that mean that you could have this rather extensive conversation with her and if she was to read it the wrong way you were going to say to her, ah, no, no, no, I'm not interested in you, I was just flirting. Was that, was that the effect of it?---No.

Well can you help me out?---Yeah. Like at the end of the day what was happening, we were having conversations, whether it be work related, about people, whatever it might be and it was my intent just to keep that communication to keep on going, moving forward in that respect. I liked the girl a lot.

20 But you're not helping me understand what you meant. It was your word, what you meant by the expression, I was just flirting with her. What did you mean by that, that you weren't interested in her and that if she took it the wrong way then you were just going to have to disabuse her of that idea?---No. No, no, no. What I was, not intending but the flirting purposes is to make her feel like, you know, possibly in the future, I don't know. You never know where it leads to in respect to flirting. But I was never leading her on in that respect. If you know what I mean.

Sorry. You weren't leading her on?---No.

30 But you were interested in - - -?---Seeing whether - - -

You were interested in taking the relationship somewhere if that did occur?--Moving away from friendships to good friends and see how we go.

I thought you said at this stage you were already very good friends?---Yeah. If we go back to the initial, from the initial onwards to moving onto good friends. I'm talking in general from the beginning of the texting.

40 So you were flirting with her in the hope, in the hope that your relationship would go to another level?---Possibly, yes.

Right.

MR BRADY: And in fact on 22 August, 2012, the day after, suggesting to you, you went on this date, you sent her a love song, didn't you?---Ah, I sent her a song, yes, probably.

Well it was a love song, wasn't it?---I don't know what song you're talking about. So it probably was. If you've got it, I presume it is, yes.

All right. Well let me go, 2090?---Yes.

Do you see there, Anthony Andjic to Fatima Hammoud?---Yes.

22 August, 2012?---Yes.

The day after this lunch date on 21 August, 2012?---Yes.

10 At a time when the text messages just suddenly start becoming quite prolific?---Yes.

You sent her a love song, didn't you?---I did, I sent her a song based on this.

It was a love song, wasn't it?---If it was a love song then it was a love song, yes.

All right. Let's go over to the next page to 2091. That's what you sent her, isn't it?---Yes.

20

It's a love song, isn't it?---Well that song is, yes, definitely.

You sent her a love song, right?---Yes.

The day after you went to lunch together?---Yes.

At the time when all these text messages start?---Ah hmm.

30 You were dating, weren't you?---No. No. It doesn't necessarily mean because I sent her a song, a love song, that we're dating.

Can I make this perfectly clear. I'm not suggesting simply because you've sent one song that you were dating. You understand that you went together for lunch the day before. Right?---Yes.

You understand that the text messages start becoming prolific. Right?---Yes.

40 Coupled - those two things coupled with the fact that you then send her a love song suggesting to you, you were dating. Right?---You may suggest that but no, we weren't dating in a romantic sense.

All right.

THE COMMISSIONER: Was this, was this an email that Ms Hammoud responded to?---I don't recall, sorry.

Well the text that accompanied this song simply said "Here it is"?---Yeah.

Well that suggests to me that she expected the email that they'd been some communication about you sending her something?---Yes. I write songs and I probably said to her at that time that I've written a song recently would you like to look at it, have a review of it, tell me if it's okay, does it sound right, does it sound corny, whatever it might be. I don't know the context of the conversation.

10 Well do I take it that your evidence is that Ms Hammoud understood that this song wasn't intended for her, ie, it wasn't an expression of your affection towards her, she understood that she was looking at the song for the purposes of determining its merit?---Correct.

Right.

MR BRADY: See you'd previously sent her a song where you'd said to her, "Have a look at it and let me know what you think."?---Yes.

20 Can I take you to 2065. That's on 7 August, 2012, you said her a song. Do you see that?---Yes.

On the basis of what you're saying in that email is it's embarrassing but here it is, have a look at it, you'll take positive criticism?---Yes.

30 Why when you send her a song after you'd been to lunch together and all the text messages start don't you say, let me know what you think on 22 August, 2013?---I don't know. We probably had the conversation beforehand, I don't know. I can't recall why. It doesn't necessarily mean that on the email that it was going to be like that.

Well is this part of your flirting with her?---Ah, possibly, yes. It's part of flirting.

Well was it getting anywhere?---I enjoyed it.

Was it getting anywhere?---Like in terms of a relationship?

Yeah?---No. It was just developing a friendship.

40 Well it was more than a friendship, wasn't it?---No. It wasn't a relationship.

It was more than a friendship, wasn't it?---No. It was a friendship.

All right. So those emails that I've just shown you, did you delete those?---Possibly.

You know you did, don't you?---Yeah. Possibly, yes.

And you say possibly, did you delete them?---I can't recall.

Let me take you to 2092. It says on 29 August, 2012 from you to Ms Hammoud. Do you see that?---Yeah.

Can you see that email from you to her?---Yes.

10 Do you see you say that "I know that today as you will open this the day after I send it dear friend, you will be busy and all, so I will at least hopefully start your day on a positive note."?---Yes.

"I've made this up on the spur of the moment so please don't totally annihilate it. I know I know not another thing but I just think that because you mean so much to me it is important you are happy always."?---Yes.

"Okay here goes. And it's not a rhyming poem because I didn't have time." Now firstly there is no doubt that this is to Ms Hammoud?---Correct.

20 You're making it clear that she means so much to you?---Of course.

When you say of course, you're making it clear in a relationship sense, aren't you?---No. Not necessarily.

As what, just friends?---Good friends, yes.

"And it is important to me you are happy always." It would be fair to say that you've emphasised the always significantly, haven't you?---Definitely, yes.

30 Again this is because you're in a relationship. Right?---No.

And you've said this, "When you open your eyes today you wondered why do I have to be going to work, it's going to be a", and we can assume that was "bitch". Right?---Correct.

"Of a day. Well, here is the reasons why I believe you had to come to work - me." Do you see that?---Yes.

40 You're in a relationship. Right?---No. That's flirting.

All right. And flirting with a purpose, surely?---I'll be honest with you. Like that's the way I am. If you could see with other people as well like - -

THE COMMISSIONER: Sorry, Mr Andjic - - -

MR BRADY: Well, you haven't - I'm sorry.

THE COMMISSIONER: - - - I just want to go back because I just want to make sure that we're on the same page here. A while ago when I was exploring with you what you meant by the expression flirting you agreed with me that you were flirting with her in the hope that the relationship would progress to something else?---Yes, over time, yeah.

All right. So we haven't, we haven't retracted from that yet?---No, no, definitely not.

10 Right?---No.

MR BRADY: You see, you didn't end up marrying other people though did you?---No.

Didn't end up seeing people supposedly for the first time for a date in August 2013, right?

MR OATES: 2012.

20 MR BRADY: No, supposedly for the first time in August 2013?---Seeing them?

Yeah, well, going on a date. You say the first date you had with her - - -? ---No, no, no.

- - - in a romantic relationship was in August 2013, right?---Correct, romantic relationship moving into a stable relationship, like boyfriend and girlfriend type scenario.

30 And you say that this that you were sending through on 29 August, 2012 is just something you did with a raft of other people?---No, not a raft of other people, you can't say that, when I speak to people I speak to them openly and honestly in that respect and things like this, if she was down or something along those lines I would try and lift her up and I do that for a lot of people.

Can I go over to 2095. This is 31 August, 2012. Do you see that's from Fatima to you?---Correct.

40 Saying, amongst other things, "I miss you AA!!"?---Correct, yes.

AA is of course you?---Yes.

Can I go over to your response which is at 2094, do you see that highlighted bit, "Missy, I miss you too"?---Yes.

"It actually hurts missing you this much!!!"?---Yes.

Now, no doubt you sent that sort of missive to lots of people?---I've, I've called people Missy before, yes.

"It actually hurts missing you this much," is no doubt something you've told a number of your people who work with you?---Oh, I don't know if people I've worked with here.

"I miss you bigger" - - -?---People, yes.

10 Sorry, I didn't mean to cut across you?---Sorry.

"I miss you bigger than the sky."?---Yes.

"I closed my eyes and just sent you a huge hug, did you get it"?---Yes.

This is 31 August, 2012, do you see that?---Yes.

About 10 days after that lunch on 21 August, 2012, right?---Right, yes.

20 After the texts have started in a prolific way, right?---Ah hmm.

After you're sending her love songs, right?---Yes, songs, yes.

Love songs aren't they?---Songs that I've written, yes.

Are they love songs?---Oh, they – in context, yes, they are.

30 And you're telling her, "It actually hurts missing you this much, I miss you bigger than the sky, I closed my eyes and just sent you a huge hug?---Yes.

And you say you weren't in a relationship?---We were very close friends, yes. I don't deny - - -

Did you - - -?--- - - - flirting with her, Mr Brady. Sorry.

Did you delete that email as well?---I deleted, I deleted a lot of emails so if that was part of that batch yes, probably, more than likely.

40 Did you delete all the emails between you and Fatima about how close you were?---I don't recall if I deleted all emails but I deleted emails not just from her, from other people as well.

Did you delete all the emails in relation to you and Fatima showing how close you were?---Possibly, yes.

Did you do that deliberately?---I did it because people were looking through my computer, yes.

So the answer to my question did you delete those emails deliberately is yes?---I deleted those emails, yes.

And did so deliberately, right?---The intent was to delete it, yes.

To get rid of the evidence of how close you and Fatima were?---No, not necessarily.

10 Well, when you say not necessarily is that at least one of the reasons why you deleted those emails?---No, not really 'cause - - -

Well, why did you delete those emails?---When I go through my computer my computer gets, I've had numerous problems, you can go to IT and ask them, relating to it and when it came to emails like this, this was my prevalent for work or whatever it might be so I deleted them and that was across the board.

20 THE COMMISSIONER: But, Mr Andjic, a minute ago you said you deleted the emails because people were looking through my computer?
---As well, yes.

MR BRADY: Did you delete those emails in 2013?---I don't recall when I deleted them.

Did you delete those emails after you knew that your relationship with Ms Hammoud was being reviewed by the Department?---Not that I recall.

30 Well, when did you do it?---I don't know, I, I, I don't know when I deleted them.

Well, don't worry about a time so much - - -?---Yes.

- - - as at least let's get it before or after you knew about the review of your relationship. Did you delete them before you knew the Department was reviewing your relationship with Ms Hammoud?---Firstly I didn't realise that was a review on my relationship with Ms Hammoud.

Well, you must have been aware of that at some stage, right?---Never.

40 You were aware they were reviewing your files, right?---The files were being reviewed, yes.

You were aware it was in relation to Triton and SAFF, right?---Not necessarily, there was other, there was a whole list of other projects that were being reviewed.

You knew at the very least some of them were Triton and SAFF, right?
---Based on the project list, yes.

And you knew by the time that the Department are reviewing your files that Fatima is Fayrouz's sister, right?---When was that?

At the time the Department were reviewing your files - - -?---Yes, sorry, yes.

- - - you knew that Fayrouz was the sister of Fatima?---Yes.

10 You knew that Mr Chacra was the partner of Fayrouz?---Yes.

You knew at that stage your relationship with Fatima was being reviewed, right?---Not the relationship, no, I did not know about that.

Well, did you delete these things after you found out that your files were being reviewed?---I don't recall, if I did I did, if I didn't I didn't, I can't, I don't recall the time, I don't, I can give you a specific answer.

20 Well, why delete them?---Because it was clogging up my computer.

THE COMMISSIONER: This is almost a year after they've been sent
---Yeah, that's fine and my computer continually, I kept them for keepsake but then I said to myself, you know, I need space on my computer to, to run it so - - -

So you didn't think about downloading them onto a USB stick?---No, not necessarily.

30 MR BRADY: Did you delete them after the recruitment process?---I can't recall the time when I deleted them, sorry, Mr Brady.

Well, just think about this. You knew from the recruitment process there was an issue about your relationship with Fatima, right?---Possibly, yes.

It was raised with you wasn't it?---My relationship, yes.

Did you delete it before or after that issue was raised with you?---I can't recall. I can't recall if these files, if these were deleted before or after.

40 Can I take you to – in fact, just before I do that so you see I was – see I was talking to you about 21 August - - -?---Yes.

- - - I've taken you to those various emails, I want to suggest to you this, on the – I've taken you to the 20th and 21st, on 22 August - - -?---2012 sorry?

2012?---Yes.

You sent Ms Hammoud 15 SMS's?---Yes.

On the 23rd you sent her 35 SMS's?---Ah hmm.

On the 24th you sent her 37 SMS's, do you understand that?---Yes.

But you weren't in a relationship?---We were good friends.

10 Let me take you to 2099. In fact my instructing solicitor's just added them up, there were some 196 text messages between 20 August and 31 August that you sent to Ms Hammoud, do you understand that?---Yes.

And that was just as good friends?---Yes.

All right. So can I take you over to 2099, do you see that's an email from you to Ms Hammoud?---Yes.

Dated 18 September, 2012?---Ah hmm.

20 Now this is just being sent to her as friends, is that right?---Yes, yes.

All right. Can I take you down, particular, not the entire email, to the second paragraph? Do you see that?---Yes, the highlighted part.

Yeah. "Once in your life someone comes into your life that turns your world upside down. That is exactly what you have done to me"?---Yes.

Do you see that?---Yes I do.

30 Was that just being sent to her as good friends?---Of course you send things like, you can send things like that as friends.

Was that just being sent to her as good friends?---Yes.

THE COMMISSIONER: Has Ms Hammoud at any stage during these emails that you've been shown said anything to you, or indicated to you in any way that she was feeling romantically attracted to you?---No.

Not at all?---Not at all.

40 So she didn't say anything by way of reciprocating any of these expressions?---She might have said along the lines that she likes me or, you know, along those lines but there was no reciprocation in terms of oh, you know, I want to be with you or the likes.

So you, you are flirting with her in the hope that the relationship would progress but she hasn't given you any indications whatsoever that that's something that she would like to have happen?---No.

You're agreeing with me?---I am, yes.

Right.

MR BRADY: Except of course telling you that she misses you?---Oh, of course.

You see, you then go on down the bottom, the other highlighted part, "I thank you for turning my world all around"?---Ah hmm.

10

"Making my tummy go all butterflies. Being you"?---Yes.

Just as friends?---Just as friends.

Mr Andjic, are you seriously sitting there saying that you sent this email to Ms Hammoud in the circumstances that we've already gone through just as friends?---We were very good friends, yes. I don't deny it. That's the thing, I'm not denying that I've been flirting with her. I don't deny any of that.

20

And you don't think that in any way, shape or form was a bit beyond flirting?---No, not necessarily.

Well, there's a difference between not necessarily and no isn't there?---No. This is flirting. This is definitely flirting.

THE COMMISSIONER: Mr Andjic, if you go back to the exchange of SMSs and emails that started - - -?---Ah hmm.

30 - - - on the 20th of August up to the date of this email, the 18th of September - - -?---Yes.

- - - that's almost a month of these continuous communications?---Yes. But - - -

And you say that all of these were in the nature of flirting?---Not all communications would have been about the flirting. There could have been some other communications. I don't recall what they were, sorry.

40 All right. But in any event you say that over this period of time there's been no reciprocation from Ms Hammoud?---No, no reciprocation whatsoever.

You must have been getting pretty disheartened by now that you were laying your soul bare for her and you weren't getting any kind of indication from her that she was similarly inclined?---No, because we were close, we're not, I wasn't like, being pushed away in terms of go away, leave me alone type scenario. We were still communicating, talking and the likes. So

I enjoyed that. I enjoyed being part of that conversation, being, you know, flirting and, and it's just, yeah, it felt great. I won't deny it.

I'm just wondering, Mr Brady, if we should take a short morning tea adjournment?

MR CHALMERS: Commissioner?

THE COMMISSIONER: Yes.

10

MR CHALMERS: Could I just interrupt again. Can we get - - -

THE COMMISSIONER: Do you want access to the transcript over the adjournment, Mr Chalmers?

MR CHALMERS: That firstly. And secondly are these emails going to be exhibits so that I can have access to them, and other practitioners can have access to them.

20 THE COMMISSIONER: Yes, they will be as I understand it. Anyway, I'll resume - - -

MR BRADY: Yes they will be.

THE COMMISSIONER: - - - resume at quarter past 12.00. Thank you.

SHORT ADJOURNMENT

[11.54am]

30

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Yes. Thank you, Commissioner. Can I now take you to 2100. That's another email from you to Fatima. Do you see that?---Yes.

24 September, 2012?---Yes.

See the highlighted portion there?---Yes.

40 "One, I want you to know I am always, and I mean always, here for you"? ---Yes.

"No matter how much shit you might put on me - - -?---Yes.

- - - or push me away you mean too much to me." Do you see that?---Yes.

You mean that surely in the context of a relationship you're having with her, right?---No, not necessarily. Maybe because of my pressures on her or text messages on her that might be in that regard. I'm not sure.

Well, you're not suggesting are you that she – the various text messages and emails were unwanted by her and she was saying stop, you don't mean that when you say "might put on me or push me away" do you?---Sorry, what was the question? Sorry, Mr Brady.

10 Okay. You were in a position of authority over her weren't you?---Yes.

In the same department?---Not over her but I was, yeah, she was in – wasn't in my team at that time.

Well, not directly in your team but you're in a position of authority over her, right?---Yes, if you see it that way, yes.

Well, you were the assistant director of the division weren't you?---Of my group, yes.

20

You were the assistant director of Asset Management Branch, right?---Of Capital Works, yes.

Were you the assistant director of the Asset Management Branch?---No, of Capital Works. Assistant director Capital works.

You were in charge of Capital works, right?---Correct.

30 You were an assistant director of the Asset Management Branch weren't you?---I was an assistant director within the Asset Management Branch, yes.

She worked for the Asset Management Branch didn't she?---She did, yes.

Not in your direct line at this stage?---No.

But she was well below you in pay grade wasn't she?---Yes.

40 You're not suggesting when you say "no matter how much shit you might put on me or push me away", that you're talking in the context of her trying to rebuff your advances?---Possibly.

Serious HR issue there isn't there?---Yeah, definitely.

You mean that don't you in the context of the relationship you were in, right?---There's not a – there was not a relationship.

Because you go on to say this, "You mean too much to me"?---Mmm.

“I’ll stop because I know how uncomfortable this makes you but Fatima, I swear to you this, I will die for you and with every beat of my heart I will do whatever you ask of me no matter what”?---Yes.

You don’t surely suggest that is an email in the context of a friendship with Ms Hammoud do you?---This is very good friends.

10 You don’t surely suggest this is in the context of just a friendship with Ms Hammoud do you?---I was not in a relationship with Ms Hammoud at the time.

THE COMMISSIONER: No doubt you read to the end of that email, Mr Andjic?---I have, yes.

So are you suggesting that you would do whatever any good friend asked of you no matter what that was and even if it cost you your job?---I would do that for friends, yes. I don’t deny that.

20 MR BRADY: And you would say to a friend, “I swear to you this, I will die for you”?---Yes, I have said that many times.

“And with every beat of my heart”?---Yes.

Just to a friend?---To a friend, yes.

THE COMMISSIONER: Are we talking only female friends or are we - - - ?---No.

30 - - - talking male friends as well?---Male as, male as well.

You would say that to a good male friend?---Yes, I would. I don’t deny that.

MR BRADY: You go to say, “Yes, it’s fucking corny,” right?---Yes.

And yes, it sounds too forthright?---Yes, and if HR got involved.

40 Well, you’re not saying that in terms of just a friendship surely?---Yes, I am.

Well, why would it bother HR if it’s just in terms of a friendship?---I don’t know what HR would think, I don’t know the context of how HR might think or perceive anything.

“And if HR got a hold of it I might as well look for another job.”?---Yes.

“But I don’t care.”?---No.

“I don’t want you to ever feel down and I mean ever.”?---Correct.

And you’re saying that you’re basically telling Ms Hammoud that you don’t care whether or not you have to look for another job because of your friendship - - -?---That’s what I would do for - - -

- - - with Ms Hammoud?---Not just Ms Hammoud but in this instance, yes, with Ms Hammoud but with other people I’ve done it before as well.

10

Right. For example, sending emails like this to Mr Murphy?---I don’t know if I sent these emails to Mr Murphy, not in this context.

Or Mr Ingram?---I, I don’t know what I’ve sent them, I don’t know. Not along these context I don’t believe but communication-wise, I don’t know.

THE COMMISSIONER: Mr Andjic, the expression “I will die for you” - - -?---Ah hmm.

20

- - - and “with every beat of my heart I will do whatever you ask of me no matter what - - -?---Correct.

- - - you said a short time ago that that is an expression that you would equally use with a male friend?---Yes, along those lines, I, I would.

Have you ever?---I probably have, yes.

30

And has there ever been an occasion when a male friend who has received such a message has said something to you about what your intentions were towards them?---No, because then what would happen was we’d hug each other and say, you know, you’re my mate, you know, and the likes and I’ll die for you like you’re my brother and the likes.

But this is an email so you can’t see - - -?---Oh, this is an email.

You can’t see what the recipient’s reaction is when the email is sent?---No.

40

Does not it seem obvious that if someone, a male friend of yours was receiving this email - - -?---Mmm.

- - - they would think that you were romantically inclined towards them, that you were wishing to have more than a friendship, that you were wishing to have a relationship, an exclusive relationship?---With the - - -

Isn’t that how someone would construe it?---Possibly, yes.

And you were prepared to take that risk with people, that they would - - -? ---Definitely.

And have you ever encountered any problems with your male friends in relation to such messages?---Never.

MR BRADY: So can I take you to 2101. This is 28 September, 2012. That's an email to Ms Hammoud, do you see that?---Yes.

You're effectively writing her a love poem, would that be right?---Oh, it's a poem.

10

Is it a love poem?---I don't know if you could call it a love poem with some, it's about me saying feelings.

Well, let's have a look to see whether or not you might consider that a love song, a love poem. "I awake each day with a smile - - -?---Yes.

- - - as the world is a treasure to me (yes even Parra laugh out loud) because of you."?---Yes.

20

That's not indicative of love poem, that part?---You have to take that poem into context though.

I see. You mean in the context of saying, "Don't freak out effectively. I'm not propositioning you"?---No, it's not in that respect. Something might have happened previously where she was down and out and the likes and I tried to build like, make her happy. So as a friend that's what a friend would do.

30

All right. Well let's go on and see whether or not this just is a friend poem then?---Yes.

"Every time you are sad or hurting I am thinking of ways to bring the stars and angels down to comfort and guide you"?---Correct.

"I have no idea why you have come into my life, why I'm doing shit like this, why I care"?---Correct.

40

"But I know that no matter what, no matter how hard you might push me away your name is already embedded in my heart"?---Yes.

That is a love poem isn't it?---In your context maybe. This is, in my context this is a, I'm an emotional guy so - - -

"Your name is already embedded in my heart." Is that a love poem?---Your name is already embedded in my heart. Your name is tattooed in my heart. I say things like that all the time. I write songs. I'm a poet. I can't help it. I write poems.

You see, by this stage you're in a relationship with Ms Hammoud, aren't you?---No I'm not, we're very good friends.

At the very least you are pursuing her with some fervour, right?---Yeah, I'm flirting with her hoping possibly maybe, I don't know.

And that's by 28 September, 2012, right?---Yes.

10 THE COMMISSIONER: Just before we go any further when you say hoping possibly maybe what does that mean?---Well - - -

You mean hoping possibly maybe that you would be able to persuade her to enter into a relationship with you?---Yes. I don't deny that. Yes.

MR BRADY: So between 20 August, 2012 and the end of September, 2012 you've sent these numerous emails, right?---And text messages, yes.

20 And in fact you sent 286 text messages to her between 20 August, 2012 - - - ?---Yes I did.

- - - and the end of September, 2012?---Yes.

But you weren't in a relationship?---In this day and age text messages is the way to talk.

You weren't in a relationship you say?---No.

THE COMMISSIONER: Are you saying - - -

30 MR BRADY: You're not - - -

THE COMMISSIONER: Can I sorry, can I just ask this. Are you saying that because at this stage Ms Hammoud's affections were not forthcoming, that is that your affection was not being reciprocated is that why you say you're not in a relationship?---No, not necessarily. We weren't in a relationship at all um - - -

40 Yes, but I'm trying to understand why? You see, you're saying these message are sent in the hope that she would be persuaded to begin - - -?---I was - - -

- - - a relationship with you?---Yeah. Yeah.

And are you saying that you didn't consider that you were at this stage because despite your desperate desire that she should return your affections she had not done so?---Ah yes, um, in that respect she didn't reciprocate it but we weren't in a relationship, yes.

Well in fact you refer to that don't you, you say that she's harder to crack than the FBI mainframe?---Pretty much, yeah.

And that she's very quiet and quite reserved?---Yes.

So at this stage you don't think that she's feeling anything towards you?---No.

Right.

10

MR BRADY: So at 2102, 11 October, 2012. Do you see that?---Ah hmm.

"Fatima, I'm sitting here in bed at God knows what hour with a huge smile on my face just reminiscing the day we had?"---Ah hmm.

"And also knowing how tired you must be. If I write gibberish it's because I'm tired. I absolutely loved being with you. Every minute of the day. From the reactions on your face wasabi burnt tongue." One is assuming from that that you'd spent the day with her, right?---Ah, possibly, yes.

20

Including of course no doubt going out to lunch?---Possible. I don't recall the timing but yes, possibly.

"I will be honest with you, I have never ever connected with someone like you, or this before?"---Ah hmm.

Do you see that?---Yes.

30

So does that mean that we've put her in a different category than all these other friends that you were sending emails to talking about how much they're in your heart?---Ah, you can't really say that based on that. Like you can have the presumption that's that way but I was very close to Fatima. I don't deny that.

You go on to say maybe you have, I don't know but not me. Do you see that?---Yes.

40

It's clear from that, isn't it, that you're saying that she falls into a special category. Right?---She's a very special person, yes.

It is clear from that you're saying she falls into a special category. Right?---I don't know what category you're talking about, sorry.

Well you're the one who's writing it, aren't you?---Yes.

You then go on to say and the day I had with you reinforced it to the millionth degree and I have to tell you this even though I'm shy to do so in front of you?---Yes.

You're not saying that that's the sort of email you sent to all these other friends that you might talk about being in your hear with?---No. It depends on the context. Anyway.

All right. You then say this. I won't go into the sappy stuff as I know how weird that makes you feel?---Ah hmm.

10 Now is that because, and you say that because you knew her well enough to know that sappy stuff made her feel weird?---Um, yes.

And is that because you were in a relationship with her?---No.

Obviously she'd talk to you about the fact that sappy stuff makes her feel weird?---Yes.

And did she talk about the fact that sappy stuff made her feel weird in the context of her relationship with you?---We weren't in a relationship.

20 Because what you go on to say is this, but I do want to say you have captured my heart in an awesome way. I honestly wished I didn't have to take you home and just kept you with me so the fun would never end. Do you see that?---Yes.

You don't say, surely that you're sending that to her just as friends?---Very good friends. Very close friends.

Do you say you sent that to her - - -?---As very close friends, Mr Brady.

30 You have captured my heart in an awesome way as just very close friends?--
-Yes. Definitely.

You see under that you then say, I send you these kisses to you and a hug?--
-Correct.

Instructing solicitor who's counted that it's 42 kisses in fact that you sent to her on the back of that. Do you say that is reflective of you and her simply being very good friends?---I've sent many kisses to other people as well.

40 Do you say that that is on - - -?---We're very, yes.

- - - the context of just you being very good friends?---Very close friends, yes.

You're surely not saying that at this stage you were not in a relationship with her?---We weren't in a relationship.

All right. And the relationship you say definitely did not start until after 8 July?---It started, I don't know if it was end of July, beginning of August.

But after 8 July?---Correct.

No doubt about that?---No doubt whatsoever.

Now from that one assumes that you didn't go away for weekends together for example?---Maybe we did, I don't recall.

10

Just let me get that clear if I can. What you might have gone away for weekends together as friends?---Yes.

As very good friends?---Yes.

But that wasn't a relationship?---No.

That was just as very good friends that you and her went away on weekends together?---I don't know if we went on weekends. I don't recall when, if or how

20

Well think about it for us if you would?---Yes.

Did you go away for a weekend with Ms Hammoud before 8 July when you were involved in this panel interviewing her?---I'm thinking. I don't believe we went away for a weekend. I don't recall.

Well surely you would remember, wouldn't you, whether or not you went away for a weekend with this woman that you've been at least flirting with?---Possibly. I don't recall. Like I've went away with her previously, but I don't recall the dates. I honestly don't recall dates.

30

You must know, sitting there today whether you went away for a weekend with Ms Hammoud before you then interviewed her for a job?---Mr Brady, I honestly can't remember.

THE COMMISSIONER: Mr Andjic, you see, you've said a number of times that there was definitely no relationship before 8 July?---Relationship, correct.

40

And so you're very clear about that date, 8 July, 2013, aren't you?---No. I'm not clear because that date was because of the recruitment process that's why I'm clear on that date, yeah.

Well, all right, but I mean you're clear about the fact that you say there was no relationship before the recruitment process?---We were very close friends. I agree. Yes, I'm clear about that.

Well, all right. Well, then, you see, I'm struggling with why you would have trouble remembering whether or not, and at what stage, you went away for a weekend with Ms Hammoud. Why is – why can't you remember that, namely, whether it occurred – if it occurred before the recruitment process or after the recruitment process?---Because I can't recall timings in terms of the date but if you show me something I can say yes or no. That's - - -

Well, let me just ask you this. Let – if you had gone away - - -?---Yes.

10 - - - for the weekend with Ms Hammoud - - -?---Yes.

- - - just the two of you - - -?---Yes.

- - - before the recruitment process commenced - - -?---Yes.

- - - that would signal would it not – that would signify that you were in a relationship with her?---Not necessarily because I went away with other people as well so - - -

20 No, I'm talking about just you and Ms Hammoud going away for a weekend, if it occurred?---Yeah.

I'm just suggesting to you that if that occurred - - -?---Yes.

- - - before the recruitment process - - -?---Yes.

- - - it would signal that you were in a relationship with her?---No, I disagree with that.

30 You disagree with that?---Yeah, I disagree in a relationship. We were very close friends but signalling being in a relationship I disagree so - - -

MR BRADY: What if you went away with her and shared a room with her, would that signify that you were in fact in a relationship?---No.

So let me get this right if I can. Throughout that period of time that we've been to in August, September and October, 2012 you're sending various emails to her, right?---Yes.

40 You're flirting with her at the very least you say?---Ah hmm.

Is that right?---Correct.

You're texting her regularly?---Correct.

You're interested in her?---Yes.

At the very least you say you're very close friends?---Yes.

And you say that if you go away for a weekend together and share a room that does not lead to a conclusion that you were in a relationship?---That's correct.

Why not?---Because in a relationship it's like boyfriend/girlfriend having, excuse my crudeness, having sexual relations and the likes. By being friends, sorry, by being friends you're going away as friends and - - -

10 THE COMMISSIONER: Well, because – see, Mr Andjic, I just want to cut across this for a minute?---Yeah.

There's nothing crude about it. I mean look, we're all grown-ups in this room?---Yes.

If you're having a sexual relationship with someone – sorry, I'll withdraw that. If you are having sexual relations with someone you are in a relationship with them aren't you?---Yes.

20 Right. Thank you.

MR BRADY: You don't suggest though that if you in fact aren't having sex with someone because, for example, of your religious beliefs that you can't be in a relationship?---No, that's not what I'm suggesting at all.

No. So you can still be in a relationship even if you're not actually having sexual intercourse with the person, right?---Yeah, that's right.

30 You can still be in a romantic relationship with that person, right?---Correct.

And you suggest do you that all these things we've pointed out and going away with her and spending – and going to the same room would not indicate being in a relationship whether you're having sex or not?---Not at all.

And I ask again, why not?---Because I've done it with other people as well and it doesn't mean I was in a relationship with them.

40 THE COMMISSIONER: Can you give us just an example of when you might have sent the quantity to emails that you've sent to Ms Hammoud in the same terms over the same period of time or a similar period of time and you have gone away with a person just the two of you – let me, let me general here and say whether it's male or female doesn't matter?---Ah hmm.

But can you give me an example of when that's occurred with someone else?---A number of occasions.

Well, you must know who - - -?---Yeah, I'm going - - -

You must – give me names. You must know who, who's been so close to you that you've engaged in this conduct on a prior occasion. They would have to be friends that you had made for life that would be, that would be privy to your every thought and desire wouldn't they?---Yes.

Who are they?---My friend who is no longer here in Australia. A number of times we went together away, slept in the same room and sometimes - - -

10 Are we talking male or female?---Male. Definitely male.

All right. Anyone else?---Um, again it's all, friends. Um - - -

Anyone from work?---Yes.

Who?---Martin.

Martin who?---Martin Gordon.

20 Martin Gordon?---Yes.

And you've sent emails to him in those terms and you've been away - - -?---
Not in those terms but like, but we went away together.

Well sorry, that was my premise - - -?---Yes.

- - - Mr Andjic. Listen again?---Yes.

30 Anyone, male or female to whom you've sent emails of this character using those expressions, "You have captured my heart in an awesome way. I would die for you" - - -?---Yes.

- - - all of those things that you had communicated those things to someone - - -?---Yes.

- - - not considered that you were in a relationship with them, and that included going away for the weekend together?---Yes.

40 Any names you can give me?---I, I did. Martin Gordon um - - -

But you just said to me you didn't email him in those terms?---Not in, not through emails. No, not through emails but we probably communication-wise like, you know, telling him he's like my big brother um - - -

That's a bit different from saying, "You've captured my heart in an awesome way," isn't it?---Yeah, but I say to him, "I'll die for you," as well. So I've said that on numerous occasions to him. I'll do anything for him. And I've said that many times.

MR BRADY: And did you go away and share a room with him?---Yes.

Right. Did you share a bed with him?---Not a bed.

All right. Did you go away to a romantic bed and breakfast with him?---
Well, we went to a restaurant with just me and him, yes.

10 Did you go to a romantic bed and breakfast with him?---I don't know if it's
a romantic bed and breakfast.

You see, at the end of the day you also ended up marrying Fatima, right?---
Correct.

So bearing all in mind that longevity of the relationship you say that going
away together, sharing a room may not necessarily lead to the conclusion
you're in a relationship?---Well we're very close friends, ended up being in
a relationship, ended up being married.

20 THE COMMISSIONER: Can I just ask you what was it that, was what it
that occurred after the recruitment process that you interpreted as the
beginning of your relationship? Tell me what it was?---We were consoling
each other through the whole process in regards to, it culminated into
basically a climax of all the issues that was leading into it and then we just
came to a point and an agreement, two consenting adults, do you want to
take this into a relationship? Let's give them something to talk about. In
that respect.

30 What, so there was a conversation that occurred between you after the
recruitment process wherein you said to her, or she said to you, "Let's take
this very good friendship to another level and let's start a relationship"?---
Yes, Commission. Yes.

And you, that's what you call beginning a relationship?---Correct.

40 Well do you accept that people can have very deep feelings for each other
and express those feelings without ever saying, "We are in a relationship,"
and yet the outside world would interpret it as a relationship?---Yeah, I
understand that could be taken that way, yep.

Right.

MR BRADY: Did you go away for a weekend with Fatima on 7 June,
2013?---I don't recall.

Well this is a month before the interview on the 8th of July, right?---Yes.

Well a month before the interview on the 8th of July did you go away for a weekend with Fatima?---Possibly, yes.

In what circumstances?---As very close friends.

How did it come about?---We were discussing basically with the recruitment process that was come online. I said, “Well, do you want to go away?” I don’t recall where it was but it’s a possibility.

10 Sorry, “Do you want to go away?” Did you say to her, “Do you want to go away,” for a particular purpose?---I - - -

Did you say, “Do you want to just go away”?---Yeah. I - - -

What happened?---I’m not sure if it’s on that dates or what dates we went away.

You know don’t you that you went away with Fatima for a weekend, right?--Possibly, yes.

20

Well you say possibly. Do you agree that you did or you just don’t know one way or the other?---I’ve been with Fatima away a fair bit so I don’t, I can’t recall specific dates.

All right. I’m talking about before you say that you started a relationship with her?---Ah hmm.

Do you - - -?---Possible.

30 Okay. All right. You see, on 30 May, 2013 did you book a reservation at the Anchorage Bed and Breakfast at Port Stephens?---Ah, yes. I did.

Did you book a reservation at the Anchorage Port Stephens for one room?---I did.

And did you take Fatima to that?---At Port Stephens, yes.

When you booked the Anchorage at Port Stephens, did you book that in the name of Mr and Mrs Anthony Andjic?---I don’t recall.

40

Well let me show you a document. Can I go to 2106. Do you see that’s a message from a Michelle Hoy at Anchorage Port Stephens.com.au?---Yes.

To you?---Yes.

And indicates, thank you for the reservations at the Anchorage Port Stephens?---Yes.

We're delighted to confirm the following reservation details?---Correct.

Indicates, please find attached your confirmation letter?---Yes.

Now you don't recall whether or not you booked it as Mr and Mrs Anthony Andjic. Why would you book it as Mr and Mrs Anthony Andjic? There would be no reason to, would there?---No. But when I booked it, I said that it would be for two people and when it probably returned it came back as Mr and Mrs Andjic and I never clarified it or the likes so I never implicitly
10 said that Mr and Mrs Andjic are coming.

Now the Bed and Breakfast, the Anchorage Bed and Breakfast, would you consider that to be a romantic Bed and Breakfast?---Ah, it was a getaway.

Would you consider it to be a romantic Bed and Breakfast?---Well, I don't know if it's romantic but it was a getaway.

All right. So what led you to going there with Fatima bearing in mind you weren't in a relationship?---Ah, whale watching. She wanted to go see the
20 whales and I said "Okay, let's go".

Can I take you over to 2017. Do you see that? Thank you for your reservations at Anchorage Port Stephens?---Yes.

I'm delighted to confirm the following reservation details?---Yes.

Arrival of 7 June, 2013?---Correct.

Departure 10 June, 2013?---Ah hmm.
30

And do you see that it is for one room for the two of you?---Correct.

If you're going up whale watching why one room?---Cheap, cheaper.

Why go to the Anchorage if you wanted something cheap?---Like cheaper to get one room.

THE COMMISSIONER: Mr Andjic, this is the woman who on your own account is sensitive about her cultural associations and familial and parental
40 concern about her having a relationship at work and you're seriously suggesting to this Commission that she had no difficulty sharing a room with you for three nights. Is that what you're suggesting?---Yes.

She had no problem with that at all? No concerns whatsoever?---No, we shared a room. No.

No. I'm asking you - - -?---No, no.

She had no concerns whatsoever?---From my recollection there was no feedback saying no.

And there was how many beds in that room?---I don't recall.

You don't recall? You went there for three nights and you don't recall?---I've been away a lot of times so I can't recall that specific location but I'm - - -

10 Well, they're generally room for doubles, aren't they? If they book – if it was booked as Mr and Mrs Andjic it would have a queen or a king size bed, wouldn't it?---Possibly, yes.

Well did you share a bed with her?---No.

Well how can you be so definite about that?---Because I know that she had the bed and I would've probably had the couch or the floor.

20 What do you mean probably you would've had the couch or the floor?---Ah, that's, that's the whole intent. That's how it would've happened.

No, not would've - - -?---Did.

How did you remember it occurring, what happened?---From memory, what happened was we went there, looked – to go for the whales, she had the bed and I, and I can't recall if I had the – I slept on the couch and then the floor or the floor then the couch. If there was a couch in there.

30 And you didn't say to the reception, look there's been a terrible mistake here, we weren't meant to be booked in as husband and wife. Could you arrange to have a camp bed brought into the room?---No.

Why not?---I didn't see the need for it. I was happy to sleep on the floor.

You were paying \$250 a night to sleep on the floor?---Yes.

That's just absolutely incredible, Mr Andjic?---It is. I'm sleeping on a floor now. And I'm married with - - -

40 That's not what I asked you?---Yeah, but that's, that's – I don't have a problem with that at all.

MR BRADY: So you had no difficulties paying \$700 to take Fatima up to go whale watching and sleep on the floor?---Correct.

And you weren't in a relationship?---Correct.

Just doing it as close friends?---Yes, and leading towards the relationship, yes.

Well, you see, when you say leading towards the relationship you mean this was part of your plan to become involved in a relationship with her was it?

---It was leading towards that, I don't deny that.

10 So it wasn't something that was after 8 July that you suddenly said look, perhaps we should do?---No, after 8 July it was formally agreed upon between the both of us as consenting adults that we're going into a further relationship.

THE COMMISSIONER: Mr Andjic, there's a somewhat quaint expression that might have gone out of fashion but you were during this period of time, over the course of the email exchange and your weekend away at Port Stephens, you were courting Ms Hammoud weren't you, you were wooing her?---Wooing her?

20 Yes?---Yeah, flirting, wooing, yes.

No, no, it's more than flirting. You were courting her, you were in effect in a burgeoning relationship with her weren't you?---Oh, it was moving onto the next level if, if that - - -

Well, it had been moving for a very long time hadn't it?---Oh - - -

Hadn't it?---No. Well, it was flirting - - -

30 Since 20 August, 2012 and we're now in June 2013?---Yeah, it was going, that's how it was, it was moving at that rate, like it wasn't going any faster or slower, that's, that's what happened.

But it was definitely going somewhere?---It was, yeah, we ended up marrying each other so yes.

40 MR BRADY: Now no doubt during the period of August 2012 through to say the beginning of February 2013 when you're sending these various emails, having these various text message conversations and seeing her on occasions you started to learn something about her life?---Ah, yes.

You started to learn for example that she had sisters and brothers? ---She mentioned them, yes.

Well, you're spending a lot of time talking with her aren't you, during the period of time from August 2012 through to February 2013?

---Yes.

Well, you found out that she had brothers and sisters didn't you?

---She probably mentioned them, yes.

Probably mentioned their name as well didn't she?---No, not really.

What do you mean not really?---No, she was very close knit about her family so, and I never pursued that.

10 See can I take you to 2166. These are calls between you and Fatima as well as (not transcribable) and I'll come to that later but between you and Fatima?---Yes.

And that's 1 February onwards, do you see that?---Yes.

Do you see there the text messages to and from you and Fatima?
---Yes.

Let's just go to 1 February. It seems to be about 30-odd text messages back and forth, right?---Yes.

20 Including telephone calls?---Yes.

And then 2 February we see effectively another text messages and telephone calls, right?---Yes.

3 February?---Yes.

Numerous text messages?---Yes.

30 4 February, 5 February?---Yes.

6 February, see all those?---Yes, we were in contact with each other every day.

Well, it's more than just in contact with each other every day, you're in contact a great deal between each other every day, right?---Yes, I don't deny that.

Including at work?---Yes.

40 You knew about her family didn't you by the beginning of February 2013?
---Oh, I knew of her family, yes.

MR BRADY: Well, did you know of the name Fayrouz before the, before February, 2013?---February, 2013.

Yeah?---I don't recall if I did or didn't.

Well, when do you say is the first time you heard the name Fayrouz?---I, I don't know the exact date, sorry.

What I might do, Commissioner, is tender the emails that I have just taken the witness to together with the – I tender those emails.

THE COMMISSIONER: Yes. The email chain is Exhibit Y6.

10 **#EXHIBIT Y6 - RELATIONSHIP EMAIL CHAIN BETWEEN MR ANTHONY ANDJIC AND MS FATIMA HAMMOUD**

MR BRADY: Now, in February, 2012 you were the project manager of Camden/Picton Courthouse upgrade weren't you?---Probably not the project manager but the project director at that time.

All right. So can we use the term project owner, would that be right?---not the owner. The project manager would have been the owner.

20

Okay. There are an in-house, for want of a better way of putting it, project manager and an external progress manager for various projects, right? ---Correct. Yes.

The in-house project manager was that you?---I eventually became the in-house project manager, yes.

Before you eventually became the in-house project manager - - -?---Uh-huh.

30 - - - who was the project manager in house?---For Camden and Picton it was Kerrie Kent.

Kerrie Kent was directly under your supervision?--- I was mentoring her, yes.

Was she directly under your supervision for that?---For that project I was mentoring her, yes, in that respect, yes.

40

In that respect, yes, that is - - -?---Because that project was under mine, yes.

Right. So you were directly supervising her for the Camden/Picton project?---Correct. For that project.

Right. Because she wasn't otherwise within your department was she? ---Correct.

She was doing it to gain some experience because she was doing a, she was doing a course on project managing wasn't she?---Yes. I don't know what course she was doing but she was doing a course, yes.

So you were effectively supervising as the in-house project manager Camden/Picton, right?---I was supervising, yes.

10 In February, 2013 a decision was made to stop using New South Wales Public Works as the external project manager for that job wasn't it?
---Correct.

That decision was made on the back of New South Wales Public Works failing to put out to tender the construction contract wasn't it?---No, that's incorrect. They did put it out but they didn't notify the contractors accordingly.

So it failed the first time round?---Correct.

20 And you, in conjunction with Kerrie Kent and Jamie Maslen decided to terminate New South Wales Public Works?---Correct.

And you say you decided to terminate them because of their failure to properly manage as a project manager would?---Correct.

And you say that effectively what happened is you lost about a month of the project?---We lost some time, yes.

30 You would agree with a month would you?---I don't know exact but a month thereabouts, yes.

All right. There was then a decision made to replace New South Wales Public Works with another project manager wasn't there?---Correct.

And the decision was made to replace them with the Triton Group wasn't it?---Correct.

Who made the decision to replace New South Wales Public Works with the Triton Group?---It was a collective decision.

40 Who made the decision to use the Triton Group?---Collectively it was myself and Kerrie.

Now, initially the expected value of the consultancy for project management was \$65,000 for that project wasn't it?---I don't know the exact figures.

Let me take you to 656. Do you see that, that that's the approval for single select procurement methodology, principle consultancy design and documentation, do you see that?---Yes. Yes.

The thing about New South Wales Public Works is they could be selected without having to go through a tender process, right?---That, correct.

Basically by direct negotiation, right?---Yes. Yes.

Do you see there that that's in relation to the Picton and Camden Courthouses?---Correct.

10 And the expected value of the consultancy is \$65,000?---Correct.

All right. You say don't you there was a difference between awarding a contract to a project manager under \$50,000 and over \$50,000, right?---Correct.

You say that under \$50,000 you didn't need to go through a tender process?---Ah, yes.

20 Is that what you say?---Yes.

And you say that because of the selection matrix within the AMB and the Capital Works Department?---Yes.

That says under \$50,000 you don't need to go through a tender process?---Correct.

You say do you that under \$50,000 for a project manager you can actually do a direct negotiation?---Yes.

30 Is that what you say?---Yes.

All right.

THE COMMISSIONER: Mr Brady, if you're moving to another area it might be a suitable time to take the luncheon adjournment.

MR BRADY: As the Commissioner pleases.

40 THE COMMISSIONER: Mr Chalmers, do you have your, do you have a copy of that CD that you were seeking access to?

MR CHALMERS: No. But I, in fairness I was offered. I just couldn't take it at morning tea.

THE COMMISSIONER: Oh no, that's right.

MR CHALMERS: Yeah, but - - -

THE COMMISSIONER: Well he, you - - -

MR BRADY: I'll arrange for that.

MR CHALMERS: Thank you.

THE COMMISSIONER: You can have that over the luncheon adjournment. Thank you.

10 MR CHALMERS: Thank you very much.

LUNCHEON ADJOURNMENT

[1.02pm]