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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION YANCEY

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON TUESDAY 30 JUNE, 2015

AT 1.48PM

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THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Yes. Thank you, Commissioner. Can I take you to 1992. 1992. Sorry, my fault. 1992. So that was a bill for Tamworth from Triton Group. Do you see that?---Yes.

10 For \$81,048.77?---Yes.

No doubt you went up to check to see that work was done?---I did, yes.

And satisfied yourself that \$81,048.77 worth of work had been done?
---Correct.

Notwithstanding the initial quote was for 78,000?---Correct.

20 And notwithstanding that two other companies had put in quotes for about 44,000?---Correct.

All right. The difference between what the two other companies have quoted at 44,000 and 81,000, how did you justify that?---With relation to the tender review?

Yeah?---There was no – we, we put in a formula. There's a box that we do. You put the figures in and it churns out the preferred contractor. Excuse me.

30 Sorry, what, you put the figures into a box and it turns out the preferred contractor?---Yes. There's a pro forma that you put in with all the weighted averages and it starts putting weighted average marks against each contractor and there's a particular section where it says price where you just put in a price component and right at the bottom then it ranks the tenderers accordingly.

Right. And part of that is, for example, previous experience, right?---I don't recall what the actual selection criteria was for that project.

40 Well for any project it would include previous experience, wouldn't it?---Not necessarily, no.

Why not?---It depends on the project. It depends on what the criteria was seeking to do the project in and the likes but that would be one of them of many that we have used in the past.

And you say that doing all of that Triton, when it came ahead of the other two notwithstanding about half the price quoted by the other two?---Yes. The bottom line became them as being number one.

All right. Because one of them was Baxter's, wasn't it?---I don't recall the other two companies, sorry.

And Baxter's had done a huge amount of work for the Government in the past, hadn't they?---I don't know.

10

Including New South Wales Public Works, right?---I don't know.

You see - - -

THE COMMISSIONER: Whether or not you remember that now you would've seen all of those applications at the time?---Probably at the time, yes.

Yeah?---Yeah.

20

MR BRADY: What had Triton done by that stage?---I don't recall what they put in their submission.

So they put in station facilities upgrade and upgrade of railway station facilities for RailCorp. That's one of the things they put in, isn't it?---I, I don't know.

Did you make any inquiries whether he'd done any work for RailCorp?---Not at all.

30

You knew, didn't you the age of Mr Chacra?---At the time probably not.

You had a rough idea though, didn't you?---Ah, yeah.

You knew he was probably under 30?---Yeah.

Did you notice when you were plugging these things into your – in for the – determining who should get the tender that Mr Chacra had put in that his RailCorp facilities upgrade was performed in 2004?---I didn't go through fine detail.

40

Well it's not much of a fine detail to see the times that he's put down that he actually did these upgrades, is it?---No. I don't recall seeing that at all.

See that's 2004. Did you not think to yourself, goodness that was some period of time ago. I didn't know he was that old?---No. I didn't.

Didn't know he'd been doing, you know, work for Government departments for the best part of 10 years?---No. I didn't, I didn't take that into account.

Well bearing in mind what he said to date, that obviously is just quite frankly a lie, isn't it?---Based on what the evidence has been provided to date, yes.

10 Do you see part of the other things he put in for this Tamworth Courthouse included the Blacktown Courthouse registry works. Now you'd known he'd done that, hadn't you?---I know of it, yes.

And that was for \$10,000. That was something that he actually seemed to have done, right?---Yeah. He was doing that works.

Right. The other one was a multi-purpose function room in Albury for \$250,000 in 2006. Did you make any inquiries about that?---No, I didn't.

20 And a restaurant refurbishment for \$440,000 in 2011. Did you make any inquiries about that?---No, I didn't.

Did you see there was a difference between what he'd put down in the Tamworth Courthouse tender and what had been put down in the tender for Cessnock?---I didn't look at both at the same time, no.

Including not putting down for example, in the courthouse one for Tamworth. A, sorry, a \$4.5 million job for Aldi. Do you see that?---That was his submission. I didn't go through his submission in that detail.

30 Well, you're the one who's making a decision about who should get the job, surely you went through it in that detail?---I don't know if that was one of the selection criterias or, or the likes. I can't recall.

But surely one of the selection criterias would have to include whether or not they can actually perform the work, right?---I, I don't recall what the selection criteria was, sorry.

Well it's got to include whether they can perform the job, surely?---It might have. I don't know.

40 And one of the things to determine whether they can perform the job is the work that they've done in the past?---It might have, I don't know.

THE COMMISSIONER: If you were rating a number of companies for the purposes of awarding a tender you would I take it have regard to a company who had relevant experience in that field over and above a company who said they had no experience in that field wouldn't you?---Yes.

All right.

MR BRADY: And one of the things you'd also take into regard is if the people putting in the tender are actually honest about the work they'd previously performed, surely?---I took the tenders as they were. I didn't go through in the detail if they were honest or not so that's, that's how I took the tenders.

10 But surely one of the issues you would have is if someone's put in a tender saying they've done work and they actually hadn't done that work that would reflect wouldn't it on whether or not that company should be selected?---That might have been one of the selection criterias, yes.

Well you wouldn't know that until you'd actually checked to see whether or not they'd done the work that they'd set out, right?---Correct, but I didn't check.

20 When you were first looking at this safe room at Tamworth did you think that the bill for it would be somewhere in the vicinity of \$25,000 to \$40,000?---I don't recall. Originally it was supposed to be a smallish refurbishment but then through the course of communicating with the domestic violence people and the Registrar it became a bit bigger than what it was originally.

All right. Because Best Practice Constructions said it would be a quote of \$48,000. Not that far out of that 25 to 40,000 range is it?---No.

And Baxters said \$44,000. Not that far outside that range, right?---Correct.

30 And Triton said almost \$80,000. Right?---Yes.

But Triton was so much better than these other two companies that notwithstanding almost double what they were going to charge you decided that the Government dollar was better spent on Triton than them?---It was a collective decision, yes.

Collective decision with what, Alex Cheung and Hannan Le?---Yes. Well I believe they were the people that were involved with that. I can't give you 100 per cent but 99 per cent sure.

40 All right. Whether it was a collective decision or otherwise you also within that collective decided that Triton was so much better than these other two companies that despite being almost double the cost the tax dollar was better spent on Triton?---Based on the submissions and putting it into the pro forma, yes.

What I want to suggest to you is there was in fact no Tender Evaluation Committee meeting for this at all?---There was.

Well in addition to that 81,000 you then paid Triton a further \$10,543 for some variation to joinery units didn't you?---Yes.

What was the extent of the variation to the joinery units?---I don't recall the full extent of it but what I do recall was that um, as part of the, the domestic violence, the people within that room requested some further works to be undertaken to justify their needs in terms of that room.

10 How much work has to be done to make up \$10,000 for a variation on joinery units in a single room?---Um .

THE COMMISSIONER: Are we talking cupboards or shelves are we?
---There was shelves, possibly a desk as far – I can't recall exactly but there was shelves, a desk, there was something to do with the actual room separation as well in that respect.

MR BRADY: And that's in addition to the \$81,000 you had already spent on it?---I believe so, yes.

20 So all up this domestic violence room in Tamworth cost \$91,000 didn't it?
---If that was the final figure then, yes.

Fantastic room at the end of the day no doubt?---Yeah.

THE COMMISSIONER: Doesn't 100, or close to \$100,000 sound a bit excessive for one room?---It does sound excessive but there was a lot of like after-hours work that needed, needed to be undertaken and those – because it was not done during court hours. This was all during night-time operations so there's a premium always paid during after-hours works.

30 MR BRADY: That was of course - - -

THE COMMISSIONER: \$100,000 for one room?---It wasn't just one room. It was two rooms joined together and there was the intercom system, there was some security measures that needed to be put into place, air-conditioning units that had to be drawn from existing units.

MR BRADY: Did Triton do any work at Gunnedah?---I don't recall if they did or didn't.

40 Did you pay them \$8,000-odd for doing work at Gunnedah?---I don't recall.

Because no work got done at Gunnedah did it?---I don't recall if, if there was any maintenance works that was undertaken there or not. I, I don't recall.

Now, what else did you employ SAFF to do?---Just project management works and supporting me on one project that wasn't allocated for an actual project.

Now, you knew didn't you that Fayrouz Hammoud, now Fayrouz Chacra, was working as a full-time teacher, right?---Yes, at the time.

You knew that at the time?---Towards the end, yes.

10 Well, what's towards the end?---Towards the end I got, I got an understanding of what she actually physically done, like her work and employment.

And again, what I mean by is, what's towards the end?---Towards the end of her engagement or SAFF's engagement.

20 Well, when did you find out that in fact this person who was supposedly doing all this work actually another full-time job?---I don't recall the exact period but it was probably later, at the end of the – towards the end of the financial year or thereabouts.

Did that then make you wonder how in the world SAFF had done all these hours in order to be paid this work that you'd given them?---It possibly crossed my mind.

Did you know that Mr Chacra was also doing work for Jacobson's?---No, I didn't know.

30 Did you give SAFF a contract to just do effectively miscellaneous work for you?---Miscellaneous or supporting works?

Yeah?---Yes. Excuse me.

Let me go to that if I can, 2612. See that as a missive – sorry, an email from you of 18 April - - -?---Yes.

- - - at 11.38?---Yes.

40 “Fay, I would like to invite your company to submit a fee proposal for the support the court upgrade program within the Department”?---Ah hmm.

“They wanted a dedicated project manager to do at least three full working days per week until the end of the financial year”. Do you see that?---Yes.

At that stage did you realise that Fayrouz Hammoud in fact was working as a full-time teacher?---Probably not, not really. No. Like I said, it was more towards the end of the financial year. Excuse me.

You've indicated this role will be similar to our existing development office positions and will full," I assume, "responsibility of the projects. They will also report directly to me." Do you see that?---Um, no, sorry.

Down the bottom, "This role will be similar," I'm sorry?---Ah, yes. Yes. Yep.

10 Okay. Obviously you didn't think at that stage that she was working as a full time teacher?---Um, I don't believe I did. I can't recall the exact period when I figured it out when it was going to be, or when I understood that she was a full-time teacher.

When is it that you realised that SAFF was simply Mr Chacra and Fayrouz?--I understood that they were together, I don't know, during the Cessnock project.

Right. So the first project that SAFF had done?---Ah, I believe so, yes.

20 All right. When did you realise that SAFF was nothing more than Mr Chacra and Fayrouz?---During the course of dealing with them.

Well when?---I can't recall the exact time or date but it was some time after that.

When did you realise that Triton was nothing more than Mr Chacra?---I knew Triton was Mr Chacra, yes, from - - -

30 And nothing more than Mr Chacra?---Just Mr Chacra, Triton?

Yes?---Yeah, first um, time that I met him.

Well what profile that he gave you that led you to the conclusion that he was going to be up for a 65,000 project management job on a heritage listed courthouse that was worth some three or \$400,000 on construction?---It said on the profile he provided to me?

40 Yeah?---Yeah, it showed him, his construction side of things and also how he managed those um, projects accordingly.

So no doubt it came as an unbelievable surprise to you when he got in the witness box and said the only thing he'd ever run by himself was a couple of small house renovations that didn't even need DA?---I was, yeah, surprised a little.

A little?---Yeah.

You must have been shocked, mustn't you?---I was thinking about oh my God, what have I done.

Sorry?---I was thinking about oh my God, what has happened, what have I done.

All right, in any event you've asked Fay to basically give you a dedicated project manager to do at least three full working days per week until the end of the financial year, right?---Based on this, yes.

10

Well you must remember doing this, surely?---Oh, I remember sending numerous proposals to numerous players and I remember this, yes.

Well this must have been a fairly unusual one though, mustn't it?---Um, not necessarily.

Not specified to a particular project, just basically taking over a development officer's position?---Um, no. There, we've done it before - - -

20

With whom?--- - - - within the Department.

With whom?---Um, Mace was asked to do asset planning, and they're a project management team, on behalf of the Department.

Yep?---Yes. Um, and that was early 2013. I didn't, it wasn't involving me though. That was with Jamie Maslen.

30

Right. So have you done this before where you've asked for an outside project manager to do three full working days per week for 10 weeks on an allocated project?---Not that I recall in the past.

Oh, right. So you must remember this quite clearly then?---Not quite clearly but I remember it, yes.

All right. Now, MACE of course was someone that was, a company that was pre-qualified, right?---Correct.

40

Even by this stage you knew SAFF was not pre-qualified, right?---I knew they weren't pre-qualified on the Government panel, yes.

You knew they weren't pre-qualified, right?---Well, based on the like, the information that I was provided I thought they were qualified for a panel.

THE COMMISSIONER: We really have to be specific about this, Mr Andjic. They were not pre-qualified, they hadn't gone through the process - - -?---Not - - -

- - - had they?---Not for the Department of Finance and Services.

No?---Correct. Yes.

Just while we're on the subject this email which is offering this quasi development officer position to somebody, it's in the nature of a part-time, that is three days a week development officer position?---Correct. Yes.

And as Mr Brady says not attached to any particular project?---Correct, yes.

10 This was at a time when Fatima Hammoud was a development officer within your section, wasn't it?---Ah, I don't know if this was the time she was actually physically there but it possibly could have been, yes.

So effectively what you were offering her sister was a development officer position, analogous to what Ms Fatima Hammoud was already doing but on a three day a week basis?---Yes. But doing something different than actual construction project management.

20 So can you just explain to me why that kind of position would not have been offered through the usual recruitment channels available to the Department, so for example, resort to an eligibility list or looking at perhaps advertising within the Government e network where people normally look for those kind of jobs?--- Can you explain why it wasn't done that way?---Yes. I can. With the duration of the project being 10 weeks it was such a short period of time that discussion was had that if – with myself and my manager at the time, for utilisation of resources because I was being under pressure and therefore this was agreed upon that we should get someone - - -

30 Who, who did you – which manager did you discuss this with?---Jamie Maslen.

You discussed it with Mr Maslen?---I definitely did, yes.

MR BRADY: You discussed with Jamie Maslen getting in Fayrouz Hammoud to do this job?---No. I discussed with Jamie Maslen – well he came up to me he says “You can utilise project managers to support you as you need it for your resources”. And I said “Fair enough, I will, definitely”.

40 Was that the entirety of the discussion you had with him?---Essentially, yes.

Well how is that akin to then giving someone a job for three full working days a week at a \$190 an hour?---Sorry, I don't understand the question.

Well him coming up and saying you can get project managers to assist, right?---Yes.

That's basically all he said?---Yes.

How does that then lead you to say that he's approved you offering this job to Fayrouz Hammoud?---Well that was the conversation that I had with him in the whole implication to support me with the court upgrade program.

So does a development officer normally make about 90-odd thousand dollars a year?---I don't know the range or scale of works, sorry.

Does that sound about right?---I don't know, possibly. Depending on the grade a nine, 10 or a seven, eight. It depends on the grade.

10

All right. So maybe 90 to what maybe a 100?---Maybe, I'm not sure.

You see for a 10 week period, three days a week basically what you're doing is you're offering this firm work which is equivalent to half a year of a development officer position, right?---Sorry, the question?

Okay. Can I take you to 2614. That's the proposal in relation to this unallocated project, isn't it?---Correct.

20 \$45,600, right?---Yes.

So for a 10 week period, three days a week what SAFF are saying is that's going to cost the Department \$45,600?---That's what they proposed, yes.

That's the equivalent of half a year full-time work of a development officer position, right?---Based on those figures, yes.

And you thought that was a sensible use of Government money, did you?---Ah, yes, at the time.

30

Why?---A proposal came in, the works I needed and I just approved it accordingly.

THE COMMISSIONER: Who else, who else tendered for this position?---Ah, no one.

No one?---No one.

So the only person you invited was SAFF Projects?---Correct, yes.

40

Why?---I invited them because at the time again convenience, I was using them previously and wanted to use someone and I just said "Are you interested"?

Well someone could have, let's say for arguments sake, come in at \$100 an hour instead of \$190 an hour - - -?---Possibly, yes.

- - - that would have represented a better use of Departmental money, wouldn't it?---Yes. Probably.

You could've sent exactly that email that you sent to Ms Fayrouz to half a dozen other companies who were in the business of project management and sought their input as well, couldn't you?---Yeah. I should have, yes. I could, yes.

10 And you can't explain why you didn't do that?---Probably because of the situation like in terms of – again, convenience comes a lot of the times, yes, and - - -

Are you sure it wasn't because you only wanted to give the money to SAFF Projects and no one else?---No, no, no, definitely not.

That definitely wasn't the reason?---No.

20 MR BRADY: And by this stage you were aware weren't you that Fayrouz had no experience as a project manager and no qualifications as a project manager, right?---Correct.

So not only are you only inviting Fayrouz but you're doing so in circumstances where you know that there are other people out there who are at least qualified, right?---Correct.

And - - -

THE COMMISSIONER: And possibly cheaper.

30 MR BRADY: And experienced and cheaper?---Yes.

Well, bearing that in mind, how do you possibly justify what you have done?---I can't justify it. It's probably through – I don't know.

It was because you were just giving money to SAFF weren't you?---No, that's not correct.

40 You were giving money to the sister of the woman you loved, right?---I was giving it to the company to do the works.

You knew it was going directly to Mr Chacra and Fayrouz, right?---It was – it's their company.

You knew it was going directly to Mr Chacra and Fayrouz, right?---It was their company. Correct.

You can't justify it because this was just a scheme to give them money wasn't it?---No, that's incorrect.

So can I take you to 2615. Now, do you see that email from Fayrouz, “Hi, Anthony. This is just a reminder email regarding additional works to help your Department with the upgrade program”?---Yes.

“We have dedicated staff awaiting your orders to assist you and ease your workload.” Do you see that?---Yes.

10 Did you ever deal with the dedicated staff from SAFF?---I only dealt with Fay.

Did you think to yourself I wonder who these dedicated staff are?---Not at all.

Well, by this stage, that is May, did you know that Fayrouz was a full-time teacher?---I don’t recall the exact timing of when I found out but – I can’t recall.

20 Did you ever wonder why you were only ever dealing with Fayrouz on behalf of SAFF and not Mr Chacra?---No.

Did you ever wonder why Fayrouz was the face of SAFF for the Department?---No.

You never wondered that because you knew exactly why Fayrouz was the face of SAFF for the Department didn’t you?---I didn’t know, no.

30 And it was to avoid wasn’t it the Department knowing that Triton and SAFF were one and the same thing wasn’t it?---I didn’t know that.

THE COMMISSIONER: You didn’t know what?---That, what he alluded to, that - - -

What, that Triton and SAFF were one and the same thing?---I knew that they were one and the same thing but I didn’t know why there was the separation in terms of using Fay as opposed to Shadi being as part of SAFF.

MR BRADY: Well, did you ever wonder?---No.

40 Do you say you were so blind to all of this that you never for a moment wondered why Shadi wasn’t being the face of SAFF?---I didn’t question it at all.

You didn’t question it because you knew exactly why, right?---No, that’s incorrect.

All right. Well, anyway, what did Fay do for you?---For that particular project?

Yeah?---We were going through a major I guess review of the court upgrade program. There was going to be a new executive director on board and I wanted to ensure that all our I guess programming requirements and the likes were in order to hand over to the new executive director accordingly so he can go through it and we can discuss it when he comes on board.

10 Yes. So what did Fay do for you?---She did a lot of programming works in terms of highlighting where projects should sit, what needs to be set. She set out scope of works with me in regards to what the projects would be scoped out as. There was, there was a quite definitive list of project requirements per project this financial year and the following financial year. I'm talking about these when this was undertaken. So there was a fair bit of work that was, that was undertaken.

20 Well surely no doubt during the course of that work you came to the realisation actually Fay doesn't really know anything about construction? ---Not really because this wasn't implicitly related to construction. It was related to the actual programming of the works.

Well surely you realised that, when that was happening that Fay doesn't really know anything about the programming of works for construction?--- Oh, probably because I took the lead I didn't take much notice on that.

So you ended up paying, didn't you, for Fay's role with you taking the lead \$3,317.27 plus \$46,842.73?---Ah, hmm.

That's right isn't it?---I don't know but if they're the figures then yes.

30 Let me take you to it, it's 2619. Right. So that's the additional works, right?---Yes.

There we go, \$3,317.27, right?---Yes.

Then we'll go to 2621. There we go, \$46,842.73. Do you see that?---Yes.

You paid Fay for her work with you while you were taking the lead the sum of those two totals, right?---Yes.

40 Did she do work for you in that 10 week period worth \$50,000?---There was a substantive amount of work done, yes.

Because if we add up that amount that's 240 hours' worth of work that Fayrouz has done, you say, to justify those figures. Do you understand that?---Yes.

Basically 30 days of full-time work, right?---Yes, if that's what it equates to.

Well during that 30 days of full-time work that Fay did in that 10 week period did you notice that for a good whack of it she was at work being a teacher?---I didn't question it at all.

Well what do you mean you didn't question it, you're the one who's paying her for doing the work, right?---Yeah, but I didn't question it. I got the work done and I paid it accordingly.

10 THE COMMISSIONER: Mr Andjic, can I just ask you – at the time that you received this invoice from Fayrouz about our dedicated staff is standing by to assist you - - -?---Yes.

- - - which is on 17 May, 2013 you knew then without doubt that she was Fatima Hammoud's sister didn't you?---Yes.

Because that had occurred a long time ago. We're back at Cessnock in February when you - - -?---Correct.

- - - found out that?---Yes.

20

Right. So over the three days that you and Ms Fatima Hammoud were at Port Stephens which was about less than three weeks later did you spend some time with Fatima asking her about Ms Fayrouz and her skills as a project manager, her experience, who this dedicated staff were, things of that nature?---Never. No.

Not once did you have a discussion with Fatima about these invoices?---Never. No.

30 Or what she was doing?---No.

This is in the context of you exclusively offering to Ms Fayrouz a development officer position over three days a week? Is it, that's right isn't it?---Yes.

So in carrying out that function she would I take it have to fit in as it were, or fit around the work being done by Fatima as a development officer in the Department?---Um, the - - -

40 Wouldn't there have been occasions when they would've had to have some liaison?---No.

Not at all?---Not with regards to this, this project, no.

What not, not once?---When it comes to the project Fatima was involved in, that SAFF was, then, yes.

Yes, but I'm talking about this position which you were offering her - - -?---
No.

- - - exclusively was three days a week as a development officer position unattached to any project and you say, do you, that there would've been absolutely no contact whatsoever between Ms Fayrouz and Fatima Hammoud?---Not as far as I'm aware. From my perspective, no.

10 And what she was only to communicate directly with you, was she?---The bulk of it, yes, definitely.

MR BRADY: Well while she was doing this surely she would've had to have some contact with the other members of Capital Works?---Not necessarily, no.

20 How in the world is she doing 240 hours of work with Capital Works planning the programs without having some contact with the other members of Capital Works?---The program was run by myself, so the other members of the staff wouldn't have understanding – not an understanding, they understand what the program is about but they don't know where the funds are, how they were going to be developed, how they were going to be spread.

But surely one of the things that would need to happen is you'd need to speak to your staff members to find out where the projects were up to, what their capacities were, what they were looking forward to in their own projects when things would finished by?---I discussed with them, yes.

30 Well surely if Ms Hammoud is helping with all of that she would've had to have some dealings with them in order to be justifying her 45,000-odd dollars?---Not necessarily, no.

Well when you say not necessarily, why wouldn't she have to have some dealings with your staff to assist you in this pre-planning that you're talking about?---Because my staff fed the information through to me and I fed it through to Fayrouz.

40 Well what a waste of your time to have to do that when you're employing someone as a project manager to assist you at \$190 an hour. Why not just get her to get the information directly from them and put it together?--- Maybe I should've done it that way, yes.

Well why didn't you?---At the time I didn't do it, no. I don't - - -

Why didn't you?---I don't, I don't know why.

You didn't do it because she didn't do the work, right?---She did do the work.

THE COMMISSIONER: Well we only have your word for that, don't we, because there's absolutely no objective evidence that she did any work?--- There was a lot of paperwork that was provided to me, yes.

And where is all of that?---It was on my desk so I don't know.

Well that doesn't help us. Where is all of that now?---I don't have it. So I don't know where it is.

10

It was in your desk in what, in one of these manila folders?---Yes.

Was it one of the ones that's gone missing?---I don't know if that was part of it, I can't recall. I don't know.

So, is this, is this in a similar category to the previous interactions you have with Miss Fayrouz that you were essentially responsible for supplying her with all the information that she needed to do her job and she was in effect doing what you've described as grunt work?---Yes.

20

So you're paying close to \$47,000 over a 10 week period for someone to act as a glorified PA, are you?---Essentially, yes.

Right.

MR BRADY: And a glorified PA who wasn't able to be at the Department for the vast majority of that time, right?---Correct.

30

This was, wasn't it a fraud on the Department, right?---No.

Well did have to talk to other people from other parts of the Department?---No.

Like for example, I don't know, Courts and Tribunals if you're doing the planning for what you're going to do with the Courts and Tribunals?---No. That was a high level discussion with senior management.

40

So she didn't even have to talk with people at the development officer level in relation to them?---With Courts and Tribunals?

Yeah?---No.

So Ms Fayrouz Hammoud did this 45,000-odd dollars' worth of work without ever speaking to anyone from your department. Is that right?---Yes.

Without ever speaking to anyone from any other department?---Correct.

Only ever speaking with you?---Correct.

THE COMMISSIONER: And never setting foot inside the office?---She set foot in the office but I don't know if it's relating to this in particular.

Well we're only talking about this?---I don't, I don't recall if she did for this or not, sorry.

MR BRADY: And you seriously suggest that she did the work for this \$45,000?---Yes.

10 And seriously suggest this was not a fraud?---Yes.

All right. Did you do a purchase order for this \$45,000-odd?---I don't recall.

Or did you just get it signed off on a payment voucher?---I don't recall.

Well, let me show it to you. 2625. See that payment voucher?---Yes.

20 Now, there couldn't have been a rush in relation to the payment could there?---No.

Because this was over a ten-week period, right, that's right?---Correct.

There couldn't have been any difficulty with organising a purchase order for it could there?---No.

So why didn't you do it?---Probably laziness on my part, leaving it to the last minute.

30 So do you see there that you've got Mr Murphy to sign off on that?---Yes.

Mr Murphy to sign off on the work that Fayrouz Hammoud had done? ---Yes.

The work that he could not possibly know that she's done?---Correct.

Why did you get him to sign off on that?---Again, he was probably in the office at the time and I asked him and I said the works have been done and he signed it on my advice.

40 Basically so that no one could ever actually check - - -?---No, that's not - - -

- - - what was being paid, right?---No, that's not correct.

Well, what was to stop you from signing that yourself and taking that to someone higher up the line than you?---Oh, nothing.

Well, why didn't you do that?---Because it fell within my financial delegation and I felt that I could sign off on it accordingly.

So basically you're saying I've checked the work as being done and I'm satisfied that I've checked it properly?---Yes.

Kerrie Kent had absolutely nothing to do with Tamworth did she?---I don't recall if she did or didn't.

10 She had nothing to do with the Blacktown project?---Not that I recall.

No reason as far as you're aware that she would know anything about Triton, right?---No.

You say do you that Mr Chacra cold called Ms Kent?---Correct.

Ms Kent at the time was Fleet manager wasn't she?---I believe so, yes.

20 Who on occasions was working for you in Capital Works?---She worked on a previous project with me, yes.

If one was to go on-line and see, for example, Ms Kent's role, they would see that as a Fleet manager wouldn't they?---Not sure.

Well, that's what she was wasn't it?---Well, that's what she was but I don't know what it says on-line. I haven't Googled her.

30 How in the world do you think Mr Chacra knew to cold call Ms Kent to get work?---I don't know.

Never struck you as saying --as odd that maybe Mr Chacra cold calling Ms Kent doesn't sound quite right?---I don't know.

You see, Ms Kent didn't know anything about Triton at all at the start did she?---I don't, I don't know. You have to ask her.

Well, you're the one who gave her Shadi's business card aren't you?
---Possibly.

40 You're the one who raised the name Triton with her didn't you?---Yeah, it was a common thing.

That's not quite an answer to the question?---Possibly, yes.

It wasn't Ms Kent raising it at all was it?---Sorry?

It wasn't Ms Kent raising it at all was it?---I don't know like the circumstances in regards to what happened. It was like, cards were given

out to staff members, discussions with staff members and that might have led to the conclusion. I don't know.

I don't understand any of that I have to say. Do you say that Ms Kent might have raised Triton with you?---Possibly, yes.

You don't have a recollection one way or the other today. Is that what you say?---To be honest, at the time I didn't know. I don't – if, if it was raised then, yes. I don't recall. You have to ask her as well.

10

THE COMMISSIONER: I want to make sure that we understand this, Mr Andjic, because yesterday you gave very clear evidence that it was Kerrie Kent who came to you and said, "I've had a call from this company. They seem like a good outfit. Let's give them a job"?---That probably was the outcome. I can't recall the extent of it. I just don't remember.

I'm not asking about the extent of it. I'm just indicating to you – I'll go back to the transcript if you want. I'm indicating to you what your evidence was yesterday?---Yes.

20

Do you stand by that or not?---I believe so, yes I do.

MR BRADY: You had to put in a resume when you applied for the job at Asset Management didn't you?---Ah, yes.

And no doubt you were then – sorry, can I go back. I'll just withdraw that and I'll do this first just to finish this off if I can. The Cessnock Courthouse tender, first you gave the project management work to SAFF, right?---Correct.

30

SAFF was already appointed as the project manager before you then tendered for the, or arranged for the tender for the construction work?---Correct.

No doubt about that?---Yes.

Okay. Because one of the things you say was you needed to get SAFF on-board to get the thing underway, right?---Well, SAFF on-board to get the program rolling, yes.

40

All right. Can I take you then if I can to 1149. This is selective tenders to select a tenderer panel, do you see that?---Yes.

And that's for the head contractor services for Cessnock Courthouse works, do you see that?---Correct.

For \$250,000?---Yes.

Documents prepared by you?---Yes.

Tender type, selective?---Yes.

Do you see that?---Yes.

We go down to name of project manager?---Yes.

TBC. Do you see that?---Yes.

10

Why?---It was probably a cut and paste from another one and I just changed the titles and the likes.

Well, when you're changing the titles and the likes why don't you put in the name of the project manager as SAFF Projects?---An oversight on my behalf possibly.

Or was it try and avoid putting down SAFF Projects on something that was going to go outside the Department?---Not at all.

20

No doubt you would have had to have filled out the anticipated date for the invitation?---Um, yes.

The anticipated date for the closing of tenders?---Correct.

None of that of course was cut and paste I assume?---No, definitely not.

30

So how's the TBC end up being a cut and paste job?---Well, if you look at this selected tender panels what you normally do is change the name of it like, whatever the courthouse is, head contractor services for Cessnock, head contractor services for whatever it is, so that definitely you go through it and, and then the rest of it's just leave it as is unless there's changes. And the dates obviously change.

Well so no doubt does the name of the project manager?---Yes. But I didn't, it was an oversight probably on my behalf.

40

THE COMMISSIONER: Can I just ask you up on that document under details, "Anticipated date for invitation of tenders," is that meant to be 21 March, 2012?---Yes.

So does it take that long does it for the tenders to come in, so we're talking April, May, June, July, five months from the 21st of March to the 9th of August?---See, I don't know, I, I - - -

Is that the usual timespan that is given for the - - -?---No, no.

- - - closing of tenders?---Normally tenders will close within four to six weeks when they were actually released. So I think the dates, as you can see it's, it's lack of me going through it in detail. And even the dates are wrong like, you can see.

MR BRADY: Sorry, now can I get back to your resume that you put in when you obtained the job with the Department?---Correct.

10 No doubt you put down your qualifications and experience?---I have, yes.

And you were no doubt being truthful when you put down your qualifications?---As truthful as can be, yes.

I don't understand what as truthful as can be means?---Um - - -

Were you truthful or not when you put down your qualifications?---My qualifications, yes. I'm truthful about like, I'm, I'm a quantity surveyor, I've done that.

20 Right. Are you hesitating to agree that you were truthful about your qualifications?---I don't know what I put down as my qualifications at that time but I believe I was truthful, yes.

Why would you have any doubt that you were being truthful when you put down your qualifications for a job for the Department?---Because oh, no doubt. Like, I know what I've qualified for.

30 All right. Why would you have any doubt that you wrote that down accurately and truthfully in your application with the Department?---Oh, I shouldn't have any doubt, yeah, that's right, yeah.

Well do you have any doubt?---I don't believe so, no.

There's these qualifications, Mr Andjic, over and over again, "I don't believe so." Do you have any doubt that you were truthful when you put down your qualifications with the Department?---I believe I was truthful, yes.

40 Is that another way of saying yes?---Oh, yes.

Okay. All right. Did you have a Diploma in Project Management from Blue Visions Management?---Yes.

You did?---I did.

When you applied to the Department?---Yes.

What was the diploma?---It was a, as part of RailCorp they wanted me to undertake a, obviously increase my um, capacity and the likes and I did a course through Blue Visions.

Did you obtain a Diploma of Project Management from Blue Visions Management?---I believe that's what it was called, yes.

10 What do you mean you believe that's what it was called? Did you get a Diploma of Project Management from Blue Visions Management?---I believe I did, yes. Either a diploma or a certificate, I can't recall if, it's one of that.

All right. There's a bit of a difference between those two things isn't there?---Yeah.

How long was the course that gave you what you've described as a Diploma of Project Management?---It took ah, about a year I, I believe.

20 Okay, so you spent a year did you doing a Diploma of Project Management with Blue Visions?---On and off.

THE COMMISSIONER: Was that because you were attending this course after work hours?---Yes.

Right?---Oh, it wasn't after work. It was during my after work hours that I was doing the, the works, yes.

MR BRADY: And that was obtained in 2006 was it?---I believe so, yes.

30 You see, I don't know whether you know this – Blue Visions Management was only first registered as a registered training organisation in 2007. You obviously didn't know that?---No, I didn't know.

So that in order for them to award any diploma, either project management or otherwise they couldn't do that until after June, 2007?---Okay, maybe the, I've put the date wrong. I don't know. But I do have it.

40 See, the Diploma of Project Management from Blue Visions Management was only considered a qualification based course wasn't provided before June, 2007. Do you understand that?---I understand.

Well surely you couldn't have been mistaken about the year that you did your Diploma of Project Management could you?---I don't recall the year but I, I might have made a mistake putting that in there, yes.

No doubt you registered with Blue Visions Management in your own name?---I believe it was, yes.

Well, do you have any doubt?---Yeah, well definitely. Well it was under RailCorp's umbrella and I don't know how it was registered.

Well in order for you to obtain a diploma it would have to be referable to Anthony Andjic wouldn't it?---I don't know how it was um, undertaken. All I know is it was done through the course, through the extended learning process within RailCorp.

10 So you'd have no idea how to explain the fact that Blue Vision Management have done a search of their records and the only reference they found to you was a course titled Stakeholder Management when you were being employed by Taronga Park Zoo?---That was one of the courses, yes. But I've got a, or a certificate to say otherwise.

Right. You've got that certificate have you?---I do.

Right. And that certificate is at home no doubt?---I, I believe so unless it was taken for the investigation. I'm not 100 per cent sure.

20 Well, I'm going to suggest to you we haven't got it so you've probably got it at home then, right?---I believe so, yes.

Right, so you could get that for us?---I hope so, yes.

What do you mean you hope so?---Well, my house is a bit of a mess so it will take me a while to go through it all and find it.

All right. All right, well we'll wait for that then will we?---I - - -

30 You'll give that to us?---If you want it, yes, I'll get it.

How often did you have to go to Blue Vision Management to do this course?---It was all done in-house.

What do you mean it's done in-house?---At the offices at RailCorp. So they came to us.

40 Blue Vision Management came to you?---Well the delegate did, yes. And I sat down with them, we discussed it, I, um, because I was creating a portfolio of my works.

So how many times did this delegate from Blue Vision come to you?---I don't recall.

Are we talking numerous times through the course of that year?---Oh, I can't tell you exactly how many times.

Now, you assisted Fatima in preparing her resume didn't you?---Correct.

No doubt even though you say it was just for practice you wanted to make sure that Fatima's resume actually reflected what her experience was?---I gave her my resume and I said she can use that as my, as the base. So yes.

I don't know those, that answer - - -?---Sorry.

- - - correlates?---Yeah.

10 Did you try and ensure when you're helping her with her resume that it actually accurately reflected her experience and qualifications?---I didn't write her resume on her behalf, sorry.

Oh, right. So that was just wholly up to Fatima?---Well definitely I helped her in regards to it but then she did all the – so I gave her the skeleton and she worked off that.

When you say you gave her the skeleton you handed over this?---I handed over a number of resumes to her, yes.

20

Did you hand over this?---I believe so.

And then she did it from that you say?---I believe so, yes.

All right. Do you know that she put down that she was doing a Diploma of Project Management with Blue Vision Management?---Ah, no I don't recall but if that's the case it's probably cut and paste from mine.

30 Well you see, you were at least, when you were interviewing her having reference to her resume, right?---Well yes, the resume was there.

Well did you say, "When did you start the Diploma of Project Management with Blue Vision"?---No.

Was that because it was just a practice run?---Yeah.

Do you know if she's done a Diploma of Project Management with Blue Vision Management?---I don't know. You'd have to ask her. I don't believe so.

40

Well you'd know if she'd done a Diploma of Project Management with Blue Vision Management wouldn't you?---I don't go into discussing what she's done and, I don't even know what she's qualified to be honest in terms of her experiences. I don't - - -

Hold on a second – she's your wife, right?---Yes.

She was working for you, right?---Yes.

She was working for you on a number of project management - - -?---Yes.

- - - matters?---Yes.

She was working for you over a period of time?---Correct.

You were talking to her every day?---Yes.

10 Many times a day?---Yes.

You don't surely say that you didn't know what her experience and qualifications were?---Definitely not.

Definitely not you didn't know what her experience and qualifications were?---Yes, and we never discussed it.

20 Well what about for example when she was doing her practice run at an interview?---Um, I, there was probably questions to, alluding to the fact.

All right. What else? Now, you also gave – finally, just jobs – you gave Triton a job at Spring Street, right?---Ah, yes.

What did they have to do?---They had to do the refurbishment of one of the Commissioner's office.

One office?---Ah, yes.

30 How much did they charge you to do one office?---I don't recall.

It was in fact even more than it cost to do one room at Tamworth wasn't it? ---I don't know. Maybe it was.

Can I take you to 1762. So that's a bill from them for 21 – on 21 June, 2013. Do you see that?---Yes.

For \$84,128?---Yes.

40 And that's for the renovation of an office?---Yes.

Did that get tendered out?---No.

Why not?---The circumstances of this job was it was a matter of urgency to get the job or works done there by the end of the financial year. They had originally I think it was, I don't know, a certain amount of money that they needed to expend and they – the Commissioner was supposed to start, I don't know when, I can't recall but it was – there was a matter of urgency

for the project to be undertaken so an extenuating circumstances submission got put into place.

So you are saying because it was rushed job?---Definitely.

And you gave it to Triton because it was a rushed job?---I gave it to Triton because they were currently the company that I was dealing with and, yes, correct.

10 You had other companies that you were dealing with?---Not personally, no.

Right. What about Patterson's?---Oh, Patterson's, that was before probably. Oh sorry, I apologise. Yes, Patterson's.

I mean you were dealing personally with Patterson's weren't you?---Yes, yes. I apologise. I forgot about them.

20 You were going out and seeing the work that they had done on Camden and Picton, right?---Correct, and I apologise. I, I forgot about that.

Well, why not get Patterson's to do it?---Because Patterson's were going to be involved in another project at manly I believe.

Well, Patterson's was a little bit more than a one-man band wasn't it?---Yes.

Patterson's in fact you've heard had some 50 full-time employees, right?
---From the, yes, from the evidence.

30 Why did you think they wouldn't have been in a position as a prequalified company to go and do the Spring Street job?---It didn't cross my mind.

Because you just wanted to give it Triton and be done with it?---Oh, it was its convenience and ease for me, yes.

And it meant more money in the pocket of Mr Chacra?---I didn't think of it that way.

More money in the pocket of Fayrouz?---I didn't think of it that way.

40 And better for those two and Fatima?---I didn't think of it that way at all.

Anyway, so you've paid them there \$84,128 to do the office?---Yes.

Did you think that was a reasonable amount of money for a single office?
---At the time I probably did. I just – yeah.

You got Mr Murphy to sign off on that as well didn't you?---I probably did.

1764. So do you see that, a payment voucher?---Yes.

\$84,128?---Yes.

Mr Murphy signing off that the work had been done?---Yes.

How did he know the work had been done?---I probably told him.

10 All right. And then you approve your own decision that the work had been done?---Yes.

But it didn't stop there with paying Triton for this one office refurbishment did it?---No, there was a few variations that needed to be undertaken.

20 Well, what were the variations that needed to be undertaken?---I don't recall the extent of them but I believe there was relocation of, of work stations, removal of some materials that were associated with the works that weren't originally part of that. There was some after-hours works as far as I'm aware. This, just from memory this is what I'm thinking. And some electrical works as well.

Well, see how much of that wouldn't have been covered by \$84,128?---I didn't go into the details of that.

All right. 1765. So you paid them another \$31,779?---Yes.

And you got Mr Sayour to write off on that didn't you?---Probably did, yes. I don't know.

30 And I assume he had nothing to do with it?---Correct.

Can I just confirm then that that's \$115,907 that you paid Triton for this job?---If that's what it calculates out to, yes.

\$115,000 for single office being refurbished. Is that right?---Yes.

40 Did that not strike you as amazingly expensive for a single office to be refurbished?---Not necessarily. I, I didn't go into the details of it. I saw the urgency of it and to pay it off accordingly that's what I did. So the works were done and I paid it.

Whether you went into the details or otherwise, did it not strike you as an amazingly expensive single refurbishment to an office?---No, not really.

What does not really mean?---It didn't, it didn't cross my mind that this is exorbitant or expensive. I never went into that detail.

All right. You and Fatima bought a house?---We have.

How did you pay for it?---How did we pay for it? We got a mortgage on it.

How did you pay for the deposit?---Fatima paid for it.

Did you put anything towards it?---No.

Nothing?---No.

10 You're doing reno's on it aren't you, renovations?---Yes.

How are you paying for the renovations?---Through my payment, outlay payment that I received from my – when I left the Attorney-Generals and I'm doing the bulk of the works myself and through – whenever I used to get paid I saved up for it and then did it through that way and through also our I think some of our wedding gifts from that.

How much have the renovations cost you so far?---So far oh, around 40, \$50,000 so far.

20

And see you and Fatima bought a house in 2014, right?---Yes.

Shadi and Fayrouz also bought a house in 2013 or '14, right?---They bought a house.

Yeah?---Yes.

Around about that time?---I don't know when they bought theirs. I don't recall.

30

They've done reno's on their place?---They've done a lot of work, yes.

You've done renovations on your place?---Correct.

The four of you have done pretty well out of the contracts given to Triton and SAFF. That would be fair to say wouldn't it?---No.

You say you received nothing whatsoever out of this \$1.285 million that the Government paid to Mr Chacra?---Definitely not.

40

Mr Chacra received the entirety of the benefit of the \$1.285 million - - -?
---He got paid for the works that he did.

Do say Mr Chacra received the entirety of the benefit of the \$1.285 million - - -?
---I don't know what he did - - -

- - - that he got paid?---I don't know what he did with his money but he received that entirety from behalf of SAFF and Triton.

He must have been pretty grateful to you mustn't he?---I don't know.

Well, how would you not know. Surely he must have been pretty grateful to you to get \$1.285 million worth of work from the Government?

THE COMMISSIONER: In one year. Actually, less than one year.

MR BRADY: Eight months.

10

THE COMMISSIONER: Eight months?---We never mentioned it, we never spoke about it so he never came up to me and said oh thanks, buddy, for the works. Never had that conversation.

MR BRADY: So you don't know whether or not this man who had never done really any contract work for the Government was grateful or otherwise for the \$1.285 million worth of work you gave him in an eight month period?---I never took gratitude. I never wanted to take gratitude so I don't know.

20

Because it was down to you, wasn't it, that this man got contracts worth \$1.285 million from the Government, wasn't it?---I signed off on that.

It was down to you that he got them, wasn't it?---Yeah.

You've effectively given him contracts worth \$1.285 million?---Based on all this, yes, definitely on the works that was done.

30

And you've done that on the back of him really becoming a qualified builder only the year before he then got contracts worth \$1.285 million, right?---Based, yeah. Like I didn't know that beforehand but, yes, now that I know.

He must've been unbelievably grateful to you for that amazing opportunity to make \$1.285 million, mustn't he?---You have to ask him.

And you never, you say saw a cent of all that money that you caused the Government to pay this man?---Not one cent.

40

Nor have you seen any gratefulness from him whatsoever for all this money that you caused the Government to pay him?---There was no gratefulness or appreciation, there was no, no gifts exchanged or thereabouts, no.

No doubt Fayrouz, in getting a gig for \$45,000 that she didn't even have to come into work for must've been grateful as well?---You have to ask her.

Well did she express how grateful she was getting a job as a senior project manager for \$45,000 for 10 weeks when she wasn't qualified as a project

manager and had no experience as a project manager?---There was no gratitude provided to me or given to me in that regard.

Has Fatima said to you “Thanks so much for giving my sister and my brother-in-law this head start in their life”?---Definitely not.

Didn’t mention it at all?---At all.

10 So has not raised with you in any way shape or form the fact that you were instrumental in the Government paying her sister and brother-in-law \$1.285 million?---No.

Not a single word?---No. No.

Are you serious?---I am serious, yes.

THE COMMISSIONER: Does your wife appreciate that you’ve lost your job largely as a result of this conduct?---Yes.

20 What price did you pay for the house?---From memory it was just under 600,000.

And you said Fatima paid the deposit?---Yes.

Do you know how she paid the deposit?---No. She probably went to the bank and paid it that way. Where the funds came from I believe it was her personal savings. But I don’t know implicitly.

30 So you don’t know where she acquired the money that was paid by way of deposit?---No.

And you’ve never asked her?---Never asked her at all.

And what about the renovations, has she contributed towards those?---Ah, it was contributed from our, basically our wedding money that we received but the bulk of it was probably coming from my account as well. Like from what I received with the Department when I left the Department.

40 Well that would’ve been your severance pay?---My severance pay, that’s, that’s the word I was looking for.

All right. What was the amount of your severance pay?---I believe it was around the \$60,000 mark or thereabouts or 50, 50, 60, between that, I don’t know the exact figure.

Well that would be close to exhausted by now, would it not?---Yeah. Very much so, yes.

And what's the – what's the extent of the mortgage?---It is approximately, I don't know the exact figures but it's around the \$450,000 mark.

And you said that the renovations to date are 40, to 50,000?---Correct.

I assume from that that they haven't finished?---Ah, definitely haven't finished, no.

10 Right. And I suppose you've got – you've engaged a builder to carry out some of those renovations?---Ah, I got support from a builder, yes.

And were the renovations the subject of a development application to council?---Not necessarily. Because we're not changing the footprint of the building, it was more just gutting it and putting it back up. So the actual footprint remained as is.

And so you didn't – you didn't do a DA for it?---No, I didn't do a DA.

20 So when you say gutting it and rebuilding it what is the projected cost of, of all of the renovations?---I'm hoping it doesn't cost much more but projected cost could be up to, I believe, \$70,000 or thereabouts.

That's what you're budgeting for, is it?---Well that's, that's what I'm hoping that it will remain but like with anything you always get the unexpected.

And that includes what a new kitchen, new bathroom - - -?---Basically everything gutted, yeah.

30 All right. So the whole – your whole interior of the house is being gutted and rebuilt?---Correct, yes.

And is it a one-storey or a two-storey?---Ah, single storey.

Single storey. And how many bedrooms?---Three bedrooms.

Right. Yes.

40 MR BRADY: Did you have an – or did Fatima have an offset account of 180-odd thousand dollars when you first got the mortgage?---I don't know.

Did you talk to her about how were going to afford the place?---No, not really. We discussed about buying a place and she says "I've got the deposit" and I based it on like 10 per cent, whatever it might've been so I said "Okay, fair enough, you've got the deposit go for it. Let's get a house together".

THE COMMISSIONER: Did you purchase the house in joint names?---
Yes, we did.

MR BRADY: Get the mortgage in joint names?---Ah, yes, we did.

And you weren't concerned then with how much interest you might be
paying depending on whether there was offset account?---No, I was
obviously concerned about interest. Everyone's concerned about that.

10 Well it makes a difference, doesn't it, whether or not you have an offset
account how much interest you pay?---Ah, yes, it does.

Well did you find out whether or not there was any money in an offset
account that was going to reduce the amount of interest you paid?---I'd
never asked about the offset account.

Well how in the world would you know how much interest you have to
pay?---I know that you have to pay interest on a mortgage. That's, that's – I
20 didn't do calculations or thereabouts and I knew that had to pay interest. I
just paid – well supporting and paying the monthly payments.

So Mr Chacra's a builder, right?---He is.

Has he given you a bit of a hand with your reno's?---He's given me advice
and a hand, yes.

Well what's he done for you?---Well he's helped on a number of occasions
with some carpentry works that I requested.

30 All right. How much?---Ah, I pay him accordingly. So - - -

Sorry, you pay him for the work he does for you?---Yes.

Really?---I do.

Right. You're paying your brother-in-law for the work that he does on the
house?---Of course, yes.

40 THE COMMISSIONER: How much have you paid him to date?---I don't
know to date but I know that every time he comes it about \$300 a day I give
him or thereabouts. So depending on materials or whatever it might be.

MR BRADY: A bit of a come down for him from \$1.285 million in eight
months to 300 bucks a day, isn't it?---Well he's got his own jobs that he
does and he's doing this on the weekends with me, so, and sometimes
whenever he's off.

Did you know that he had his own jobs with Jacobson when he was working for the Department as well?---I didn't know that, no.

Did you not notice that he was unavailable on various occasions?---Not really, no.

10 Right. Commissioner, I only have one further area. It's just in relation to previous evidence given by another person. Just confirming I don't need leave from the Commission to ask questions about it. I wonder if I could get leave in relation to evidence given by Mr Abdul Hammoud?

THE COMMISSIONER: This is on what date, sorry?

MR BRADY: Would your Honour, would the Commissioner excuse me.

THE COMMISSIONER: Are we talking about 11 June?

MR BRADY: It's 11 June, it is, Commissioner.

20 THE COMMISSIONER: Yes. The suppression order made in relation to the transcript of 11 June is lifted.

MR BRADY: And the fact perhaps that a subpoena was issued in relation to that attendance of the - - -

THE COMMISSIONER: Yes, yes.

30 **THE SUPPRESSION ORDER MADE IN RELATION TO THE
TRANSCRIPT OF 11 JUNE AND THE SUBPOENA IS LIFTED**

MR BRADY: Thank you, Commissioner.

You know Abdul Hammoud was subpoenaed to give evidence don't you?
---Yes.

40 How did you find that out?---I saw a summons that was laying around in, in, at their home, sorry.

Right. And?---And that's how I knew.

Well, when you say you saw a summons that was lying around - - -?---Yes.

- - - what was the summons?---To appear before the ICAC.

And you obviously read it?---I didn't read it.

Sorry?---I didn't read it.

How do you know it was to Abdul?---Well, it had his name on top, I, I read his name.

And you obviously read that it was a summons for him to attend?---Correct.

Right. Did you read anything else about it?---No, I didn't go into the details because I didn't want to be.

10

Did you speak to him about it?---All I told him was make sure you tell the truth and that's it, and left it as that.

So I'll ask the question again, did you speak to him about it?---With, just with respect to that, that's it.

So but the answer to my question is did you speak about it is yes?---With that respect, yes.

20

All right. So all you said do you say was just make sure you tell the truth? ---Correct.

Nothing else?---I don't believe there was any further conversation than that, yes.

You said I don't believe?---No, yes, there's nothing else.

This wasn't that long ago was it?---No.

30

And it's a fairly important matter isn't it?---Well, it's relating to me, yes.

I mean, you would remember whether you said anything further to him, right?---I, I don't recall saying anything further to him, no.

Did he say anything to you?---No.

Did he ask you what it was about?---No.

40

Are you sure?---I believe so, yes, there was no conversation in that, that, that was had.

All right. So can I just clarify this and make this perfectly clear. You say the only thing that was said was you to him saying make sure you tell the truth?---Maybe I said a sarcastic comment, I said, "What's this?" and then read through the whole process and said, "Make sure you tell the truth."

What do you mean went through the whole process?---Oh, not the process, just telling him make sure you tell the truth.

Okay. Well, think about it while you're sitting there?---Okay.

Let's do our best to work out what it is that actually occurred in this conversation with Mr Hammoud about his summons to appear at ICAC?

---Okay. I saw the summons.

10 Yes?---I was it was with him, his name and it said summons to appear before the ICAC and I said to him probably oh, "What's this?" in that regard and - - -

Well, let's - when you say in that regard - - -?---Yeah.

- - - can we just say what it is that you actually said, did you say, What's this in that regard?---No, "What's this?"

20 Right?---Like that, that's what, that's what I said and just said, I believe he said, "This is a summons to appear before the ICAC," and I said, "Fair enough, make sure you just tell the truth."

That was it?---I believe so, yes, I don't, I can't say verbatim what was said.

Well, was there anything more in substance than that?---I don't believe so.

For example, did Mr Hammoud say to you, What's it all about?---No.

Definitely not?---Oh, I believe he was reading what it said on the summons, I - - -

30 Did he say to you something like, What's all about?---No, I don't believe he said that at all.

THE COMMISSIONER: Did he say how am I getting dragged into this?
---No.

Nothing like that?---Nothing along those lines.

40 MR BRADY: So there was no discussion at all you say about the substance of the subpoena?---I don't believe there was, no.

Again, I don't believe and no don't necessarily fit together do they?---I can't recall the exact conversation but I, I don't believe I said anything further to that.

Did he ask any questions of you about it?---I don't recall him asking me any questions at all.

Who else was there when this conversation was taking place?---Oh, it's a big family. I'm not 100 per cent sure who was in the vicinity of it all.

Well, were there other people putting their two pennies worth into it?---I don't recall who was in the vicinity of it. I know, all I know is I recall speaking to Abdul in that regard.

10 THE COMMISSIONER: I take it this was in a common area like the lounge room or the dining room or the kitchen of the home?---There's a, there's a little, there's a kitchen and right next to the kitchen there's like a table, like not a table, like a, what do you call it, a buffet and it was on that.

MR BRADY: And you say don't you that you have never spoken to Fatima about the evidence that you've given?---Correct.

And she's never spoken to you about the evidence that she's given?---We were told not to.

20 THE COMMISSIONER: Well, yes, but - - -?---Yes, yes, correct.

You say that you've not spoken to each other at all about this?---Oh, we tried not to definitely discuss anything relating to the, the, this matter.

You tried not to but you may have?---We may have generally talked about it, how did you go, how did you feel, et cetera, et cetera but no formal discussions relating to what was discussed.

30 MR BRADY: Well, formally or otherwise did you have any discussions about what was discussed?---Not what was discussed.

So nothing about they were going down this line?---No.

Nothing about whether it had anything to do with money?---No.

Not a single thing mentioned about that at all between the two of you? ---No.

And nothing mentioned to Abdul about that?---No.

40 No mention about whether this was in relation to money?---No.

That he was being subpoenaed or summoned in relation to money?---I didn't get that conversation, no.

Now was Fatima there when you were having this discussion with Abdul? ---I don't recall if she was there or not.

Would you excuse me just one moment?---That's okay.

Yes, I have nothing further, thank you, Commissioner.

THE COMMISSIONER: Mr Andjic, can I just ask you something that arises out of your resume. According to your resume you did a building construction qualification at UTS I think it was?---Bachelor of Building, yes.

10 Bachelor of Building?---Correct, yes.

Honours it appears?---Yes, yes, it was.

And then there was a reference to quantity surveying?---Yes, it was called, it was a big title, Bachelor of Building I believe in Construction, Economics/Management and that's, that was the whole title.

And quantity surveying?---No, no, that, that was the title.

20 That was the title?---But construction economics implies its quantity surveying, that's what, that's what it was.

Right. And that's what you call yourself, a quantity surveyor?---I am technically a quantity surveyor, yes.

Okay. Now in the context of that qualification, building construction quantity surveyor - - -?---Yes.

30 - - - am I right in thinking that the job of a quantity surveyor which might be obvious from the use of the term quantity plus surveying - - -?---Yes.

- - - is to actually look at a project and determine what the components of the project are so for example let's say, you know, you're building a one-room extension - - -?---Yes.

40 - - - so the quantity surveyor would work out the dimensions of the room, work out how much concrete you needed, how much timber you needed, how many trusses there should be, what the roofing material should be?---It can go down that extent, it could be, it depends on the type of tender that needs - or the - - -

I appreciate it would change, I'm just giving you an example?---Yes, yes.

So what I'm trying to understand is that the job of a quantity surveyor is to assess the size of the building project, the materials that are to be used, the quantity of the materials to be used and therefore the cost of the materials and a broad if you like estimate for the cost of that project, this is before you factor in the labour costs?---That's one aspect of it, yes.

All right. Bearing in mind that that's your qualification, or that's what you describe yourself as, and that's your expertise can you explain to me why in relation to all of these projects that Triton carried out and that resulted in the submission of invoices that were in some cases double what other people might have quoted for that you didn't go into the details?---No I didn't.

No, no, no, I'm asking you to explain why you didn't do that if your job is actually defined by - - -?---Yes.

10

- - - the capacity to go into details in relation to a given building project, that's what I'm trying to understand?---Oh, okay. Um, I haven't partaken in quantity surveying for many years so um, oh, it wasn't my role to go through the whole process and review quantities and the likes as part of my role. So that's why I didn't actually physically do it anymore.

Well who was going to do it in your section if you didn't do it?---Oh, no one did. We just took it as whoever it was, or if we had to get, if, on major projects we get external quantity surveyors on our behalf.

20

Was that if you didn't do it and no one else in your section did it was that meant to be part of the job of the project manager?---Not necessarily. WE have an understanding of what we believe the cost of a project would be um, based on I guess rule of thumb principles in that respect, so as putting 1,000, \$2,000 a square metre on a project, et cetera, and basing it off that and then developing it accordingly. So it's very, very broad in that respect to get a determination in terms of cost.

30

All right. So the sum total is that no one at all was doing any analysis of a quantity surveying type in relation to any of these building projects?---Not as far as I'm aware, no.

Right. Now, who has any questions for Mr Andjic? Yes, Mr Chalmers.

MR CHALMERS: Yes, thank you, Commissioner. My name's Chalmers, solicitor and I'm acting for your wife?---Yes.

40

In, only some short questions but first of all there was some evidence given before the Commission of you and Fatima arriving at the same time some mornings?---Yes.

Can you explain why that would happen?---Um, there was an instance where she had an injury, a driving injury or, I don't know. She had a broken arm and the like so I, I, I used to pick her up and drive her to the office in that respect.

And do you recall whether that was around the time of the interview that Fatima did in - - -?---I believe it was, yes.

Did you give any, did you ever give anyone else lifts to work?---I did, yes.

Who was that?---Ah, I gave Alex Cheung lifts sometimes. I gave other people within the organisation as well, whoever needed a lift I would give it if they came up to me and said can you take me up the road to my car or whatever it might be.

10 All right. Now, I want to ask you about that job interview in relation to Fatima. Did she advise, did she advise the panel, which was yourself and Helen - - -?---Yes.

- - - Doherty that, that it was a practice run at the meeting?---Yes.

She did?---Yes.

That's all the questions I have, Commissioner.

THE COMMISSIONER: Anyone else has questions? Yes.

20 MR STEWART: Yes Commissioner.

THE COMMISSIONER: Yes.

MR STEWART: Mr Andjic, my name is Mr Stewart, solicitor and I'm the solicitor for Ms Kent?---Okay.

30 In relation to, you gave some evidence yesterday that Ms Kent said to you that she wanted Triton as the project manager and could she approve them accordingly?---Yes.

Well, I put it to you that that conversation never took place. She never made a comment like that at all?---I don't recall the extent of the comment in terms of if whether it was approachable, or we were together discussing it but I don't recall – and I said that as part of the Commission, I don't recall the extent of that conversation.

Does it - - -

40 THE COMMISSIONER: Mr Andjic, the question from Mr Stewart was, or what was put to you was she never made a comment like that at all?---I don't recall, sorry.

Well - - -?---If - - -

MR STEWART: You don't recall that she didn't say it - - -?---I - - -

- - - or you just don't recall?---I don't recall the conversation.

So I'm putting to you that she never made that comment at all?---Okay.

She was your junior wasn't she?---She was, yes.

She was working in Fleet Management?---Correct.

She was on the other side of the floor from where you were?---Yes, or - - -

That's right?---Yes.

10

She wasn't even sitting anywhere near you?---Yes.

And the only time she ever spoke to Mr Chacra at the start was when you gave her the card and asked her to call him?---Possibly, yes.

Well not possibly. That's the position isn't it?---No, possibly, yes.

She had little to do in relation to this?---In - - -

20

In relation to this matter for Triton?---No, there was a conversation that I had with her in determining how we move forward with regards to the project management process.

Yeah, but you asked her to type up various documents in relation to moving forward?---Through discussions, yeah, of course.

Yeah. And you asked her to do it because you were the person that had carriage of this matter?---Oh well, I asked her to undertake those documents, yes.

30

Yes. And she prepared them on your behalf?---She prepared it on behalf of the project, yes.

Yep?---And on behalf of me, yes.

Correct. And the first, she never met Mr Chacra until 4 March, 2013 at Picton Court?---I don't, I don't know if that's the case.

40

Well I put it to you that's the first time she ever met him personally?
---Probably, yes.

And you issued the, the submissions to appoint the Triton Group on 21 February, 2013, some two weeks prior to her even meeting him?---Yes.

Yep. In relation to – so the only recommendation she ever made was the recommendation that you requested her to prepare, that was it?---There was a conference between myself and Kerrie and I said to her, "Prepare all the documentation to move forward with the project manager," correct.

Did you ever – you issued the submissions for the Triton Group on 21 February, 2013?---If that's the case, yes.

And isn't it correct that on the 18th and 19th of February that's when you found out that both SAFF and Triton were part of Mr Chacra's, that he was the, the principle behind both?---If that was the date, yes.

10 Did you ever disclose anything to Ms Kent?---I don't recall if I did or didn't.

Right. You didn't, you didn't - - -?---I don't recall.

You don't recall. I have nothing further, Commissioner.

THE COMMISSIONER: Does anyone else have any questions of Mr Andjic? No. Nothing arising - - -

20 MR BRADY: Nothing arising.

THE COMMISSIONER: - - - Mr Brady. Yes, thank you, Mr Andjic. You may step down?---Thank you.

THE WITNESS EXCUSED

[3.27pm]

MR BRADY: I call Kerrie Kent.

30 THE COMMISSIONER: Just come forward, Ms Kent. Take a seat.

MR STEWART: Yes, Commissioner, I've explained the provision of section 38 to Ms Kent and she'd seek the declaration.

THE COMMISSIONER: All right. Thank you.

MR STEWART: She'll be sworn as well.

40 THE COMMISSIONER: Yes, thank you. Could I just indicate for general purposes as a former judicial officer I have had numerous email correspondence with Ms Kent as Fleet manager principally to do with the tedious business of renewing a vehicle from time to time. I put that on the record. If there's anything anyone wants to say about it they should do so now. All right. Ms Kent, do you understand that the order under section 38 protects you from the use of your answers again you in civil and criminal proceedings but does not protect you if it should be found you've given false or misleading evidence to the Commission.

MS KENT: Yes, Commissioner.

THE COMMISSIONER: Thank you. 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.

10

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

20

THE COMMISSIONER: Yes, can we have the witness sworn please.

THE COMMISSIONER: Yes, Mr Brady.

MR BRADY: Yes, thank you, Commissioner. Would you please tell the Commission your full name?---My name's Kerrie Ann Kent.

10 Can you spell Kerrie and Ann for us?---Yes. K-e-r-r-i-e, Ann, A-n-n.

All right. What is your occupation, Ms Kent?---I am the manager disposal for motor vehicles for New South Wales Government.

What does that mean?---I sell and manage the selling of all New South Wales Government cars through a contracted auction facility.

How long have you been doing that for?---I took up that role on 8 April, 2013.

20 And before that what did you do?---I was the manager Fleet for Attorney-General's Department.

Again, what did that mean, manager Fleet for Attorney-General's?---I managed the administration of the Departmental fleet, some 350-odd vehicles, the management of all salary sacrifice packages for the New South Wales Judiciary and senior officers and executives.

30 And what department was that in?---It was Attorney-General's Department and then it became - - -

In a particular branch?---Asset Management Branch.

All right. In 2012 were you doing some study?---I believe it started in 2011.

What was that?---I was studying a management diploma through St George TAFE which was run through the Department's training group.

40 Right. Now, as a result of doing that did you want to get some work experience?---Part of the course had a practical component with regards to project management, budgets, management of staff, things like that.

What did you need to do for that practical portion?---I needed a practical project which would satisfy all the requirements of the course so I discussed that with my manager Christiana Haddo at the time and Kerry Marshall.

Sorry, can you just, who was the first one?---Christiana Haddo.

Right. How do we, how do we spell that?---Christiana I'm not, I'm not sure but Haddo was H-a-d-d-o.

And what was her role?---She was the manager or Procurement, assistant director Procurement I think was her title.

All right. So you're – were directly under her - - -?---At that time.

- - - going down the Fleet management side?---At that time - - -

10

Right?--- - - - Fleet management reported to Procurement.

So you spoke to her and you spoke to Kerry Marshall?---That's correct.

And what happened?---They both agreed with me that I could do a Capital Works project. I wanted to do something different from Fleet. I've worked in Fleet all my life so something for a bit of a change and we chose the relocation and fit out of the Public Defender's Office.

20

All right. And did you assist with that?---Yes.

Who did you assist in particular with that?---Mr Andjic was my supervising officer and mentor for both the diploma and that project.

How, how often did you spend on that project?---It took over a year and - - -

And were you doing that on a full-time basis or a part-time?---A part-time basis. I was still doing my substantive role which was manager Fleet. Initially in the beginning of the project I was working on it maybe one day a week but as the project got more complex and demands grew on my time it became – grew into probably two days a week and then towards the end of the project was even more than that, probably three days a week. I actually moved into their office for a period.

30

Right. And when did that finish up?---I completed that project or actually handed it back to them around February, 2012 I think. Hang on, I've got to get my years right. '11 I think or '12.

40

Well, assuming that you've resigned from that role in – April, 2013 you resigned from Fleet manager position?---(not transcribable) back, so I would have handed it back in 2012.

After that did you then take on other roles in relation to Capital Works? ---Towards mid-2012 I was approached and asked if I would assist the Capital Works team. My diploma had finished. My work in relation to that diploma had finished and I had been awarded the diploma and I was asked to help out because the program of works was so large and would I assist.

All right. And who approached you?---I, I believe it was Anthony and Kerry.

All right. And did you then start to take on some role within Capital Works?---Yes. I was – I agreed that I'd do a project. I was still doing my other role as well. I was given choice of what project I wanted to do. I chose the Camden project initially then looking at the list and seeing Picton was on there as well, a relatively small project in very close proximity I said I would do both projects.

10

All right. And effectively combining the Camden/Picton project?
---Combining them, running them concurrently with the same teams of contractors but maintaining separate jobs, separate budgets, separate files, et cetera.

And in relation to that job who did you answer to directly?---Anthony Andjic.

20 Initially New South Wales Public Works were organised to be the project manager?---That's correct.

You had some problems with them?---We had a lot of problems with them.

30 You were attempting to get them to do things and they were not fulfilling the requirements?---That's correct. The original program of work there were some issues with the design as well which was not their fault but the original program of work was that the construction tender would be completed around November. I advised Mr Bradley I think his name is, the project manager, that we were ready to go to construction on I think 5 December. I advised him of the contractors that we were going to invite to tender and for him to go forth and invite those companies to tender and prepare the tender documents, et cetera.

Now, the list of companies you were inviting to tender, where did you get those from?---From Department of Finance and Services.

40 How do you go about doing that?---I sent an email to, I think the man's name is Larry Bailey and he sent back a list of people prequalified for construction.

All right. Why do you get the list?---To my knowledge and, and, you know, I don't – I'm not very experienced in Capital Works but you get the list so that you're using a company that's been prequalified by Department of Finance of Services, that checks have been done on the company as far as their financials, their experience, et cetera.

Okay. So you got three companies from the prequalified list?---I actually chose five companies initially and then we invited four companies to tender.

And New South Wales Public Works didn't do the tender or they did it badly. What happened?---There was – my memory is a little bit hazy around this period because I was actually on leave. The original tender was to close on 17 January is my recollection but that didn't go ahead. I think there was a problem with the tender documents so it had to be abandoned. There was another tender loaded around 24 January, towards the end of January. As I said, I was not at work I was actually on leave. That tender closed around early February, around 14 February I think and when the
10 tender was opened, the tender box was opened I was advised that there were no tenders.

Was that because Public Works hadn't in fact put the thing on eTender?
---What had happened, we had submitted everything onto eTender but they had not invited the companies to submit a tender so the companies that we'd invited were not aware they were being asked to submit a tender for that job.

As a result of that what happened?---Well, I was pretty furious, I won't deny that. We had, I had discussions with Anthony. We spoke to Jamie Maslen
20 and we decided to terminate the contract with Public Works. I had lost confidence in their ability to deliver the job. I personally did not feel comfortable working with them. I had met Mr Bradley on one occasion back in August and that was – with, with the exception of a few emails and phone calls back and forth that was the extent of his involvement in the project which I didn't think was satisfactory.

All right. And you wanted a project manager who was going to do the job?
---Yes. At the time I was doing my substantive role. I was also acting as
30 the cluster Fleet manager for the Justice cluster which was – the primary department being Correctives, AGD and Legal Aid I think was the primary department then. But I was also representing police, fires, the whole SES at all cluster meetings and - - -

Now New South Wales Public Works were initially put in as project manager through a direct negotiation basis weren't they?---That's correct.

And you understand that that's something where New South Wales Public Works were excluded from the usual necessity of going to a selected tendering process?---I didn't actually realise that but I had initially wanted
40 to go to tender for project management and I had got the prequal list but Kerry Marshall wanted to use Public Works on that job because of the heritage implications. I wasn't particularly thrilled. I prefer to pick my own teams but - - -

Kerry was the boss?---He's the boss. So that's what he wanted that's what we did.

All right. And one of the issues that he raised was the heritage listing?---
Yes.

And the fact that you needed to have someone who has project management experience for heritage listed buildings?---Yes. Picton was state listed and Camden was not heritage listed but it was sensitive in the community and so it was decided that we would renovate it in heritage style.

10 When it came to replacing New South Wales Public Works with another project manager how did that happen?---As I said, discussed that with Mr Andjic and with Kerry Marshall. Kerry, I'm sorry, not Kerry, it was Jamie at the time. Kerry had already left. Jamie said that we – if we wanted to go forth with terminating that contract that we could. So we decided that we were going to do that. I sent a letter, sorry, no, I typed a letter that Mr Andjic had given me the, the clauses et cetera, that we were able to terminate them under and that was given to Anthony to sign and sent off to Public Works.

20 All right. That was done?---Yes.

You needed to get a new project manager?---Yes.

30 How did that happen?---Well then by this stage we're at a critical time point. We're way probably at least eight weeks behind on the program that had to finish prior to June 30. It was my understanding that if we did not finish the job by June 30 we would lose the funding. I was going into the most critical time of the year in Fleet Management being the FBT period. That commenced, the prep work for that commences in Fleet in mid to late February and that goes through until the end of the financial year.

All right. Sorry, the question was, how did you get a new project manager?--Ah, sorry, my mistake. I discussed it with Anthony where we were going to get a new manager from. He said to me at the time that he – mentioned the Triton Group. He said "That they had been touting for business and he'd spoken to them" and he rummaged around on his desk and found their card and gave it to me and said, "Go and give them a call and see if they're available first of all. If they're interested in the work and then we'll set up a meeting".

40 Had you before Mr Andjic mentioned the Triton Group and gave you the card ever heard of the Triton Group?---No, I had not.

When Mr Andjic gave you or raised the Triton Group and handed you the card in relation to the Triton Group, did you question his decision for you to go and call the Triton Group?---No.

He'd been your mentor?---Yes.

And over a good period of time?---Yes, that's correct.

And he had done the Public Defender's project with you?---Yes, that's correct.

And it would be fair to say this wouldn't it, you trusted him?---Yes, absolutely.

10 So when he raised the Triton Group with you and told you to go and ring them and see if they were available, no doubt you did?---I did.

And didn't really question his decision to do that?---No, I didn't question it.

So no doubt you didn't do any research yourself in relation the Triton Group?---I did no research in relation to the Triton Group at all.

And he didn't ask you to do any research in relation to the Triton Group? ---No, not to my recollection.

20 Because if he'd asked you to do research in relation to the Triton Group you would've?---Yes.

You've heard him say that – varying versions - but that you raised with him the Triton Group and you recommended them to him? What do you say about that?---I don't believe that was the case at all. We did discuss the Triton Group. I have no qualms saying that we did discuss them. But after the initial phone call that I had with Mr Shadi, ah, sorry, Mr Chacra. Anthony met with Shadi, I was not in attendance at that meeting because I think I was on a Fleet Committee meeting that day or that afternoon. The
30 meeting from my memory, I don't know the date but it was in the afternoon. When I – the next time I'd seen Mr Andjic which I believe was the next day, I asked him how that meeting went and he said "All good, they're fine. We can go with them". I said "Okay. Do the paperwork, let's go".

So again he was basically saying to you we're using Triton?---Yeah.

And again you didn't question his ability in that area?---No. He was the expert in the field not me.

40 Okay. All right. When you spoke to Mr Chacra when you were given his card was that the first time you'd ever spoken to him?---Yes.

The conversation you had with him was that simply to determine whether he was interested in the contract?---Yes. I just introduced myself, gave him a brief overview of why I was calling. Asked him first of was he available to do the work because there was high degree of urgency and it needed to commence straight away. If he wasn't going to be available for a month then I wouldn't have, I would've gone off looking for someone else. But he

was available, he was keen. I think I got his email address off him and gave that to Anthony and they arranged a meeting and - - -

Now no doubt you had no idea at that stage that he was – that Mr Chacra was the partner of Fatima Hammoud’s sister?---No.

You knew Fatima Hammoud?---Yes, I did.

Did you know that Triton wasn’t on the pre-qualified list?---Yes.

10

Right. Did you question Mr Andjic at all about why he was wanting to use someone on the not pre-qualified list?---No, I didn’t because the value of the engagement for both jobs was relatively small. The Picton quote was for \$12,800 thereabouts and the Camden quote was in the vicinity of \$30,000. In my mind I was thinking 30,000 one, one written quote. I didn’t believe that we needed to have someone who was pre-qualified and with the precedent being set by Kerry previously that reinforced in my mind that it was not out of the ordinary given the time, the urgency et cetera.

20

And when you said the precedent set by Kerry you mean his engagement of New South Wales Public Works on the direct negotiation basis?--- Yes. That’s what I mean.

And would it be fair to say this. That understanding that you had in relation to New South Wales Public Works being done under direct negotiation basis being some sort of precedent for not using the pre-qualification list is based on perhaps your lack of experience within Capital Works?---Ah, yes, absolutely.

30

All right. So you didn’t question Mr Andjic’s approach to using just one company?---No, I didn’t.

Right. Now in terms of then sending – that is Triton sending through a fee proposal, were you involved in that at all?---I did see the fee proposal. I just told you the figures that were on it from memory. I haven’t got access to my emails or anything from AG’s any more so I don’t know. I believe I’ve seen an email earlier in the week from Anthony to SAFF, ah, not SAFF, sorry, Triton requesting them send the fee proposal through. And I did raise the requisition order for the payment and allocate the job numbers et cetera for that in accordance with that proposal.

40

Again, no doubt at Mr Andjic’s direction?---Yes.

By the time then Triton are engaged as project management do you know anything at all about the company?---No.

From there how much role did you have in the Camden Picton project?---I still had a fairly involved role. I had applied for my, the position I currently

hold at State Fleet so I was putting some effort into trying to obtain that role, obviously with applications, et cetera. But I still was doing most of the paperwork on that job until I handed the job back to Anthony mid-March.

10 Okay. How much interaction did you have with Shadi during that period of time?---To the best of my understanding and the records that I have I met Mr Shadi twice. Once I have minutes – I remember meeting him down at the Camden and Picton Courthouses for a pre-tender evaluation meeting for the construction tender and that was on 5 March and I've got minutes to that effect and then I met him during the – the second time was during the tender evaluation for construction.

The first time you met at Camden/Picton?---Ah hmm.

20 How long did that take, do you remember?---I'm just trying to remember the minutes. I think we met around 10.00am at Picton, we were there for about half an hour, proceeded onto Camden and were there for probably another 45 minutes to an hour. I think the meeting concluded around 11.30ish, 12 o'clock maybe.

Okay. The second time you met him at the site?---Oh, the second time I met him in the Justice Precinct office when we were doing the tender evaluation.

Sorry, I misunderstood that. So you met him once on site only?---Once on site only, yes.

And then the other one in the, where did you meet him?---At Parramatta Justice Precinct offices.

30 How long was that meeting?---That was the tender evaluation for construction, it was relatively short because from memory there was two non-conforming tenders, they were passed over fairly quickly so probably an hour, maybe a little bit more, a little bit less.

In addition to meeting him on site once and then the Tender Evaluation Committee for an hour or so did you have any other dealings with him? ---There would be emails back and forth. We may have spoken on the phone but nothing that I can recall now.

40 Does that mean, and it doesn't don't just accept this from me, does that mean there wasn't much of substance other than those two meetings?---No, my interactions with, with Mr Shadi were fairly limited I would say in comparison to my relationship with the project manager on the Public Defender's project.

Your relationship with the project manager on the Public Defender's project for example, how often would you speak, see them, deal with them?---I would speak to him on a daily basis I would say but it was, it was a much

more complex and demanding project that ran for quite a substantial period of time. The Camden and Picton project whilst it had been running since July really construction hadn't even begun, mid-March we were still doing a tender evaluation.

Had Fatima started working on projects with Capital Works before you left?
---To the best of my memory I don't know that she was actually working on projects but she was doing some work for the Capital Works team, I don't know what that was.

10

Okay. Did you have any interaction with SAFF?---No, I've never heard of SAFF before speaking to Mr Thomas.

When you say before speaking to Mr Thomas, the investigator?---Yes.

That's the first time you'd heard of the company SAFF?---Yes, that's correct.

I don't know if I asked you this, I can't recall, did you have any role with
20 Tamworth Courthouse?---No.

You didn't have any role with that at all?---I didn't have any knowledge of that job or any other job outside of Camden and Picton.

Do you have any knowledge of the Blacktown Courthouse?---No.

When you were dealing with Mr Andjic during the Public Defender's project for example how would you have described his approach to following the policies and procedures of the Department?---It was – I
30 always felt that Anthony was extremely professional in his dealings with, in that project and that's the only thing I can base it on, he was a stickler for the guidelines and the rules, he always made sure that the paperwork was done correctly and he taught me how to, how, what documents needed to be completed and files in place, et cetera so I'm confident to say that I felt that he was very dedicated to making sure the job was done correctly.

You've sat here while he's given evidence over the last day or so?---Yes.

Things that he was describing in terms of his approach to the particular
40 projects we've been going through - - -?---Yes.

- - - slightly different than the approach that he took to the Public Defender's - - -?---Yes.

When I say slightly different, significantly different?---Yes, from my experience with him on the Public Defender's project, yes.

A completely different approach to what he took with in the Public Defender's job?---Yes.

Thank you very much, Ms Kent. You might just stay there for a moment if you could.

THE COMMISSIONER: And does anyone have any questions of Ms Kent. Yes, Mr Chalmers.

10 MR CHALMERS: Yes. Thank you, Commissioner. My name's Chalmers and I'm acting for Fatima Hammoud?---Ah hmm.

Just in relation, perhaps not when you were working on the Public Defender's Program but when you were working in relation to Camden/Picton for Mr Andjic how many hours a week, or days a week would you be working on projects to do with Capital Works?---Um, initially in the beginning of the project probably one day a fortnight. Um, but as that project began to, or those projects began to fall over um, it began to consume a lot more of my time. So it would have been at least one day a
20 week um, and, and, that I was dedicating just to that and then some, you know, bits and pieces along the way through the week as I was going.

All right. And was it the case that if some, if there were work requirements from the Capital Management Branch in relation to the Courthouse Program that sometimes you might spend more than one day at a time on such projects?---I only worked on those two projects.

Yes?---Um, and if, you know, I was juggling three positions at that time.

30 Yes?---So I can't give you a definitive answer as to how much time exactly was spent on each um, each week. But if, if the need arose that something had to be drafted or, then I would do that um, in the course of my normal work.

Right. Now, in relation to the period when you were leaving that, I guess February/March isn't it, 2013 - - -?---Yes.

- - - you were aware weren't you that there was some suggestion that Fatima Hammoud might kind of do the work you were doing?---Yes. Um, it had
40 been discussed with me that um, someone would need to take over those two projects and I was led to believe that person could possibly be Fatima.

And in fact did you support that proposition?---Yes I did.

Yes. Yes, nothing further.

THE COMMISSIONER: Ms Kent, did you know in the time that you were in, or on the floor as I understand it, where Mr Andjic worked did you know

that Mr Andjic and Ms Hammoud were in a relationship, or seemed to be in a relationship?---At that time there was a lot of office gossip about the two of them. I was aware that they had been out on occasion but I don't know the nature of that, not more than two or three times as far as I was aware. I did not at that time believe they were in a relationship.

Does anyone have any further questions of Ms Kent? No. Anything arising, Mr Brady.

10 MR BRADY: Just – if - you were asked whether or not you supported Fatima Hammoud's replacing you in that position. No doubt at that stage you had no idea that then she was involved in Tender Evaluation Committees with her sister?---No.

In relation to other companies?---I think that – I didn't, I wasn't aware of that role at all. I based my thought that Fatima would be good to take over the job was because she was heavily involved in procurement, she was on the tender opening committees, and I thought she would have a degree of knowledge as opposed to some other people in Asset Management Branch,
20 and if she wanted to do it for development well, why hold her back.

Yes, thank you. I have nothing further.

THE COMMISSIONER: Anything, Mr Stewart?

MR STEWART: No, Commissioner.

THE COMMISSIONER: No. Thank you, Ms Kent. You may step down. You're excused?---Thank you.
30

THE WITNESS EXCUSED

[3.59pm]

THE COMMISSIONER: Well, we'll resume at 10 o'clock tomorrow morning. Could I just remind everyone that we'll be adjourning at 1 o'clock. Thank you.

40 **AT 3.59PM THE MATTER WAS ADJOURNED ACCORDINGLY**
[3.59pm]