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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION ELGAR

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 12 NOVEMBER, 2015

AT 2.09PM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes, my apologies for that delay. Yes, Mr Hunt.

MR HUNT: While Mr [REDACTED] contract was running at the University any timesheet issues or things like that would have been resolved by Sonata would they not?---Ah, while he is working at the - - -

10 When Pranav Shanker was actually doing his contract with the University if there were any issues to do with timesheets or that sort of admin material Sonata would handle those things would they not?---No, I used to - - -

Would she not?--- - - - use her emails.

Hmm?---I used to use the, Sonata's email.

20 All right. So any timesheet – by that answer do you mean if there were timesheets or needs to be in touch with Pranav Shanker about his contract that you would do that by email?---Yeah.

And you would do that using Sonata's email?---Yeah.

So you had an email that was your email, correct?---Personal email, yeah.

Yeah, and you had - - -?---And also, yeah.

30 You had an email that was sonata@canberrasolutions, correct?---Yeah, yeah.

And how did you distinguish between when you would use Balu email as opposed to when you would use Sonata email?---Okay. First when we had created the Sonata email and then later we created the Balu email so when, so I think a time when we were doing the Canberra Solutions I was also working somewhere so at that time most of the stuff used to come to Sonata email.

40 So do we understand the position to be that if you were acting on behalf of Canberra Solutions you would use the Sonata email?---Yeah.

And if you were using the Balu email address that that would be your own personal contact rather than Canberra Solutions' contact, is that what you're saying?---No, no, no, I used, I started using mine when I left the previous company which is - - -

Okay, when was that?---I think May of '13.

2013?---Yeah, yeah, something like that.

So from that time on you commenced to use a Balu email - - -?---Yeah, yeah.

- - - for Canberra Solutions' work?---Yeah.

10 But earlier than that if it were a Balu email it would be for personal purposes rather than Canberra Solutions' purposes, is that right?---No, I, I wouldn't want any, you know, my other company and, you know, this company so - - -

I don't care why I'm just asking you whether - - -?---Yeah.

- - - it was your practice up until May 2013 if you were transacting business for Canberra Solutions that you would use the Sonata email?---Ah, yeah.

And if you used your email - - -?---Yeah.

20 - - - during that period it was for something that wasn't to do with Canberra Solutions?---No, no, no, it can be - my email means which email ID is that? At Canberra - - -

Well, they're your email addresses?---The, they were, my personal email ID or my Canberra Solutions email ID?

Well, I understand you to be saying - - -?---Yeah.

30 - - - that your evidence is that you didn't use balu@canberrasolutions until the time after you'd disengaged from your previous employer - - -?---Oh, yeah.

- - -in May 2013, is that right?---Yeah, I might, I mean I tried (not transcribable) opt to use that (not transcribable)

Well, didn't you not have that email? I thought you only - - -?---No, no, no, I think first we created sonata@canb, canb.com.au in the beginning and I don't know when we created the bm@canb.com.au, we don't, I, I can't remember.

40 So you were suggesting if you like to the world - - -?---Yeah.

- - - that they were dealing with somebody called Sonata - - -?---Yeah.

- - - when they were actually dealing with somebody called Balu, correct? ---Yeah.

So there was a fiction in that?---It's not a fiction because she has assigned, you know, everything to me right so it's just she's the director but I have been - - -

Yeah, but somebody is in an email correspondence where they believe they're corresponding with somebody called Sonata - - -?---Yeah.

- - - and they're actually corresponding with somebody called Balu instead? ---Yeah.

10

Do you agree?---Yeah, yeah.

All right. While Pranav Shanker was undertaking his contract you didn't have any reason to be telephoning him in relation to his contract with Sydney University did you?---At that, when Pranav Shanker was in, about to be contracted or - - -

20

Mr Moothedath, why do you have to repeat the question?---No, I didn't, I'm not getting it, see, if I, if I answer, you know, it might be for the wrong context.

THE COMMISSIONER: Are you having difficulty understanding what Counsel is saying to you?---Yeah.

MR HUNT: Did you have any reason to be telephoning Pranav Shanker between say October, 2012 and March, 2013?---Yeah, I might have talked to him at that time.

30

I'm not asking you whether you talked to him. I'm asking whether you had any reason to talk to him during that period?---I can't remember that period, you know.

I'm going to suggest to you - - -?---Yeah.

- - - that you had telephone contact with Pranav Shanker during that period, do you agree, the period between October, 2012 and March ,2103?---Yeah.

40

And why were you talking to him on the phone?---Oh, because, you know, I, as I said, you know, he helps out in the strategy of, you know - he's, he's a China sourcing expert and he is good with strategy so I - - -

But he was working for the University on a full-time contract wasn't he - - - ?---Yeah, yeah, he was - - -

- - - in this period?---Yeah, he was working on a full-time.

So why were you talking to him about Chinese strategy when you had placed him with the University of Sydney working full-time as a

contractor?---Oh, no, there's other things that he – there was I think a couple of opportunities where he might be of help so I contacted him.

All right. Did you ring him in late 2012 and early 2013 for the purpose of making arrangements to meet up with him?---2012 and '13. Again it's a long time ago. I don't know. We have met, yeah, we met.

You met?---Yeah.

10 Why would you have been meeting in person during that period?---I remember once for meeting a prospect of mine along with him.

When you met him where did you meet him – did you meet him in Parramatta from time to time?---No, no. I met him in the city somewhere and my, you know, other prospect, yeah.

I suggest that you met him from time to time in late 2012 and early 2013 to get cash from him that represented cash coming back to you from you paying for Pooja's wages?---No.
20

Did all your contacts with C100 personnel that you used in relation to candidates to the University of Sydney come by way of recommendation from Jason Meeth?---No.

Well, he recommended – he passed on Samuel Williams' details to you didn't he, Jason Meeth?---Yeah, yeah.

And he passed on Davina Marshall's details at Greythorn?---Davina maybe, yeah.
30

Yeah. So you agree with those two. What about Jean Gazo, how did you come to work with Jean Gazo?---Maybe through him. Yeah, I, I asked the, you know, one of the C100 companies.

All right. And what about Ryan Arthurs, did that one come through Jason Meeth as well?---Probably.

So all of the C100 recruitment agents that you dealt with - - -?---Yeah.
40 - - - were referred to you - - -?---Yeah.

- - - or introduced to you or you to them by Jason Meeth?---Probably. I mean - - -

Yeah. And the person Adhi, you know who I'm talking about don't you?
---Yeah.

What's her full name?---Adhisakthi I think, yeah.

And she had an interview before Mr Gazo was even involved with her recruitment. Correct?---I don't know. I can't remember.

Well, you don't - - -?--- She had an interview at the - - -

- - - disagree with that do you?---Yeah, no, the interview is scheduled through C100 companies.

10 But what I'm suggesting is that Adhi was an exception to that and that you – that she had an interview and had been selected or at least been selected for a position with the University before Mr Gazo was involved?---No, not to my knowledge.

Well, if anyone from Canberra Solutions knew about that it would be you, wouldn't they?---Yeah.

20 And are you saying if material was forwarded to Mr Meeth by Sonata M at the Canberra Solutions email address that that's really coming from you?
---Yeah.

All right. If people say to this Commission that they physically talked to Sonata on the phone about things, are you saying they were things to do with recruitment and contracts and timesheets? Are you saying they really wouldn't have been talking to you?---Yeah. I don't think - - -

30 What even people who talked to Sonata on the telephone, that they're really talking to you even if they think they're talking to a woman called Sonata?--
-No, no. If she, they have – if she had the phone they might've talked to her but not on a company matter.

All right. When you had dealings with Jason Meeth while he was at University were most of those dealings by email?---Yeah.

40 Would you forward him candidates and resume details even if a C100 agency hadn't been yet arranged?---From time to time I checked with him and the process, whatever the process he tells, I sent accordingly. So whether when he said you know you can send the candidates or it has to be through C100 because he was new to the Government sort of sourcing thing.

All right. But from April, 2012, you knew that the University of Sydney needed to use a C100 recruiter. Correct?---Yeah.

And that therefore you had to, if you wanted to put up your candidates, that you had to put them up to Jason Meeth through a C100 recruiter. Correct?--
-Yeah.

And sometimes after April, 2012, even though you knew that you would still send using Sonata's details resumes directly to Jason Meeth, wouldn't you?---No. He told that "You can actually - - -

Just listen carefully?---Yeah.

10 Are you saying, no, you would not send details of candidates and resumes to Jason Meeth directly after April, 2012. Is that what you're saying?---I, I might have sent – when I checked with him he said that "That is not the process. You can send it directly" and then, you know, if it's - - -

All right. I'm suggesting that why you sent resumes and candidates details directly to him even though you knew that C100 agents needed to be involved, was to show him which were your candidates in advance of interviews?---No. Not - - -

Was most of your contact with Jason Meeth while he was at the University of Sydney by email?---Yeah.

20 If you talked to him would you sometimes talk to him on his landline and sometimes talk to him on his mobile phone?---Yeah.

All right. So that means some of the telephone conversations would be through the University landline?---Yeah. I don't know whether that's – yeah, it might've been, yeah.

Well, you're the one who was making the phone calls?---Yeah.

30 Did you deal with him exclusively through his mobile or did you sometimes talk to him on via the University landline?---The University landline also, probably, you know, yeah.

All right. And when you would receive calls from him I suggest whichever mobile phone service you were using that it would have a feature where it would tell you the number that was calling into you. Correct?---Yeah.

Would that sometimes be a landline number. Correct?---Yeah, probably.

40 And sometimes be a mobile number that you knew was Jason Meeth's mobile number?---Yeah. But I wouldn't identify if I have not put in my telephone? Yeah (not transcribable).

Well you had his mobile number in your telephone, didn't you?---Yeah, yes. That's right, yes.

Are you saying you didn't have his landline number in your telephone?---Yeah. Yeah. From his card, yeah, I might've.

You did?---Yeah.

Well he was your biggest client, wasn't he?---Yeah.

In reality?---Yeah.

10 So of course you had his numbers in your phone. And what you're saying to the Commissioner is that when you were calling him you would sometimes call the landline and sometimes call the mobile, aren't you?---Yeah. I mean, I vaguely remember that, you know.

And you would receive, sorry?---I vaguely remember you know, how I used to call, you know, whether it was landline or mobile or - - -

So it was both?---Yeah. (not transcribable) yeah.

20 All right. And when you were receiving calls from him, you were receiving calls from the mobile and sometimes from the landline. Is that correct?---Yeah, maybe, yeah.

All right. Well how many times a week, whichever you're talking and whether he's calling you or you're calling him, how many times a week or how many times a month across the period that you were dealing with Jason Meeth while he was employed at the University would you have spoken to him?---Yeah. Probably, you know, once or twice a month, yeah. I mean I can't remember the exact number but I'm thinking at least once or twice.

All right. Well if at least means a minimum?---Yeah.

30 Right. Give the Commissioner some idea of what the maximum would be? So if one or two is the lowest number of times in a month what would be the highest in any month?---I, I can't, I don't know, I mean - I don't know how much it would be, what is the highest number.

Well would you be talking to him say once a day sometimes?---No.

Would you ever be talking to him once a day - - -?---No.

40 - - - in that period? Would you ever be talking - - -?---Every day?

Huh?---Every day?

Once a day for a week, say?---No.

Would you ever talk to him more than once in one day?---I can't remember, you know.

When he called you what sort of issues would he be calling you about?---I, I normally say “Is there any requirement”, and you know, things like that for -
- -

Okay. Just listen to my question for a moment?---Yeah.

When Jason Meeth called you what would Jason Meeth be calling you about?---He calls me, I mean, if he’s calling me then maybe can be, you know or how are things or just normal - - -

10

How are things about what?---No. How is everything, you know, going and you know. So just a normal call.

Social talk?---Yeah.

All right. Was any of the talk about any of the contractors had already been retained?---No. No.

20

No. So it wasn’t about existing contractors, was it about other opportunities for you to place contractors with the University?---Yeah. Sometimes, you know, I check with him whether he has any opportunities there.

All right. Would he ring you and say “Opportunities are coming up. I can get some more contractors on”?---He may – I’ll ask him, you know whether any other departments have opportunities and he’ll say yes, probably, there are opportunities in other departments.

30

And would you talk to him about say your contractors being given twelve month contracts rather than six month contracts, things like that?---No.

Would you talk to him about people that you had found that you could place for cheap money with him?---No.

Did you ever talk about that you could access people like Ms Batra for less than \$300 a day so that the University could save money?---No.

40

Jason Meeth understood from you, did he, that you and Sonata were making good money out of the contractors that you were placing at the University of Sydney?---Jason Meeth, I don’t know whether he understood or not.

Well did you tell him?---No.

THE COMMISSIONER: Did Jason Meeth think as far as you were aware that the contractors that were going through Canberra Solutions were getting paid the full daily rate. Is that what he thought as far as you knew?---That I, I don’t know how much – what he was thinking.

Well, you and Sonata were the only two people who knew that the contractors were getting sometimes less than half the daily rate and you were pocketing the rest. Is that right?---Yeah, I and Sonata and the candidate probably know that, you know, they are getting this much money.

Yes, but the candidate didn't know that you were getting the other 50 per cent. The only people who knew that you were pocketing - - -?---Yeah, yeah.

10 - - - half of the daily rate according to you was you and Sonata?---Yeah, even Sonata doesn't know, I, I was the one, yeah.

Oh, even Sonata didn't know?---I mean she doesn't know, she doesn't look at the, you know, how much is the daily rate and all that.

20 Sonata didn't know anything about your income during that period from Canberra Solutions, through Canberra Solutions?---Ah, she, she just, you know, all the, you know, the accountant does this stuff and then she is look, look at it and then she signs it off, she doesn't look at, you know, individual case to case.

She wasn't working in any other position during that period was she?---She was studying.

She was studying?---Yes.

30 And so how did she work out what, what you were spending during that year? Didn't she, did she know what your income was over that period of time?---No, I don't think so.

She had no idea. You had a joint bank account didn't you?---Ah, yeah, joint bank account, yeah.

Well, she would see the money going into the joint bank account wouldn't she?---She doesn't even look at it.

Well, when she needed money did she go to the bank with her ATM card and take money out?---No, she asked me money.

40 She had access to the bank account didn't she?---Ah, she has access, yeah, she, she has access.

So she could go online or she could go to an ATM and she could see what was in the bank account at any point in time?---Yeah, she could have but she, she don't.

What, for the whole 18 months that you were making all of this money out of Sydney University you say that she didn't once know anything about - - - ?---No.

- - - the income?---Even she doesn't know how to log in and, at that time.

She doesn't know how to log in?---Log into the, you know, the personal (not transcribable) she doesn't look at that.

10 And I'm just going back to the original question. So you didn't ever tell Mr Meeth that you were receiving half of the daily rate for all of the candidates that were placed through Canberra Solutions with Sydney University, you never told him that?---No.

MR HUNT: And, and you saying that Sonata didn't know what her taxable income was out of Canberra Solutions for the financial year - - -?---No.

You're shaking your head before I've finished the question?---Yeah.

20 Are you saying that Sonata didn't know what her taxable income was for the financial year ending 30 June, '13, is that right?---Yeah. I mean probably today she might have heard - - -

She didn't know?--- - - - because she's sitting outside and - - -

THE COMMISSIONER: Gee, she must be, she must be incredibly surprised that you, that you took in \$1.6 million over a 18 month period - - - ?---Yeah.

30 - - - if she's hearing it for the first time now?---Yeah.

MR HUNT: Sir, the meeting that we've seen on the audio visual material, you meeting up with Mr Shanker - - -?---Yeah.

- - - on 29 June, that's a different meeting, is it, to the meeting that you gave evidence to the Commissioner about today about when you've bumped into him?---Yeah.

40 So that's a later meeting than when you bumped into him accidentally? ---Yeah.

And I want to formally suggest to you that he came to your home, that's Shanker, in July 2013 to get, have another discussion with you about what the investigator should be told about the nature of Pooja's duties with Canberra Solutions for her fictitious job?---No.

Did that happen?---No.

It didn't happen?---No, he just come to our house, you know, on occasions but it's not about discussing anything in particular to that.

I suggest to you that there was a day that you and he were having a discussion and he would raise some problems about your idea about what the job description was and then you'd go and talk to Sonata and then come back and persuade him that it was, it was okay to continue with those kind of descriptions of Pooja's job?---No.

10 Didn't happen?---No, I - - -

Just look at this document, this is in terms of telephone contact with Mr Meeth. Just accept that this is a diagrammatic representation, do you see on the, on the side there's a scale of nought to 40 and then there are a scale of months, do you see that?---Yeah.

So do you see that Mr Meeth started, you know, at the University of Sydney in February 2012, correct?---Yeah.

20 You knew that?---Yeah.

And you knew that he stopped sometime in July 2013, correct?---Yeah, yeah.

All right. So this doesn't include calls to Mr Meeth's landline, this is just calls to one of your telephone services and his mobile service?---Yeah.

30 So you see that there's far more calls than you've given evidence about aren't there?---Ah, I, I don't know whether there, whether there were far more calls.

All right. Well, April, April 2012 it looks like you made almost 40 calls between you in April 2012, could you tell the Commissioner what the purpose of so much telephone contact was?

40 THE COMMISSIONER: And just to put it in context that's more than one a day in that month?---Yeah. It might have been – I don't know whether it's discuss about the further requirement or something, yeah, so it might have been so - - -

Well, why would you need to do that every day? Why would there be a need to have a conversation like that every single day of the month?---Even I am surprised, you know, there's many number of calls.

Well, you might be surprised but you need to answer my question, why would you need to talk to him about business matters more than once a day, every day for a month?---Yes, it's just probably would have been, you know, how, this is in April.

Yes, it's April?---Yeah.

MR HUNT: Or put another way assuming that there were many calls on one day for instance might have made up some of those 40 calls, why would there be a reason to have many calls or multiple calls on one day?---Maybe, you know, I might have started a conversation and then, you know, I was working at that time so I might have got interrupted and then, you know, that, that might have been the reason.

10

All right. You're not suggesting for instance that the phone would be dropping out, you're talking about electively stopping the call and then picking it up another time aren't you?---Yeah, maybe, yeah.

All right. But do you agree that the pattern of phone contact suggests a very different relationship than the one that you've ever told the Commission about privately or in the last day?---Yeah.

20 There's a lot more contact between you and Meeth than you were prepared to acknowledge isn't there?---Yeah, yeah, when I – as I said I am surprised to see, you know, the number.

All right. And do you agree that it suggests a much, much more commercial relationship than you've been prepared to concede?---No.

Are you sure that Mr Meeth wasn't sharing in some of the great profits that your company was making from, through these contractors?---What, what is that, please, Mr Meeth?

30 Sorry?---I didn't quite get it, Mr Meeth?

I'm suggesting that Mr Meeth, I'm asking you whether Mr Meeth - - -?
---Yeah.

- - - shared in some of your big profit margin that you were making from all of the contractors?---Yeah.

40 I mean you knew didn't you that virtually all you had to do was put up a candidate to the University of Sydney if there was a project and your candidate would be selected?---No, no.

Well, it kept happening didn't it? Virtually every candidate you put up got a contract there?---Not ever candidate, I don't think so, all, all - - -

Virtually every, do you understand the word virtually?---(No Audible Reply)

Almost all of them?---Almost means, yeah, probably.

Yeah. I just want to be clear the whole contract of employment arrangement with Pooja and Canberra Solutions is a fiction where she never worked at all?---No.

That was a fiction designed to put a legitimate expense in your books and then have Pranav Shanker give you that money back in cash?---No.

10 I suggest that the cash was used for something to do with the business that you couldn't claim a cash deduction for?---No.

Your whole description of the meeting in the car and it being about contracting opportunities and nothing to do with this investigation is false isn't it?---No, it's true.

You discussed in that conversation for two hours in the car this investigation and how to deal with it in terms of Mr Shanker and his wife?---No. I, I was discussing, you know, other opportunities as I said.

20 And can I just – and you're lying to this Commission aren't you when you say that you expect that there's a Schedule A somewhere for those contracts that have Schedule A on them to disguise the contractor's true rate?---No. As I said Schedule A that's done by Paxus. I have no idea what – I was thinking that Schedule A is the, the one with the rate.

All right. You understand I'm saying you're lying about that?---No, I didn't, I didn't lie on that because it's a, it's a very, you know, a contract between Paxus and us.

30 All right. Did Jason Meeth ever indicate to you that your contractors performed poorly in their work?---He didn't say. He, he said I mean most of them are doing good.

Did he ever say that any of them were substandard?---No.

Never?---(No Audible Reply)

40 Did you ever sign anything on Sonata's behalf or using her name?---She had the, you know, the electronic signature so I got permission from her - - -

So you would apply her signature electronically?---Not all the time, you know. It might – it can be sometimes, you know, physical signature.

All right. Would you ever write or sign her name?---No, I don't sign her name, no.

Do you understand – did you ever – did you know that Mr Shanker has given evidence to this Commission about conversations he’s had with you about the matter, did you know that?---Yeah. I saw it on the website.

All right. And you knew that he’d given evidence about the true position in relation to Pooja’s contract?---No, I don't know.

THE COMMISSIONER: Well, when you say you saw it on the website, do you mean you just saw his name listed as a witness?---Yeah.

10

Did you find out what Mr Shanker had said to the Commission when he gave evidence?---No, I don’t have any representative here so - - -

You don’t what?---I don’t have any representative so - - -

Well, I know you don’t but there would have been nothing to stop you coming here and sitting in the public gallery or sitting in the room outside whilst he was giving evidence. That would have been entirely appropriate. You didn’t think you needed to hear what he had to say?---I, I don't know. I didn’t know that that was possible or, you know, I can - - -

20

MR HUNT: And did you ring him and find out what he’d said?---No.

Did you – listen carefully to this question?---Yeah.

Did you attempt to contact Pranav Shanker by telephone on Monday evening, the 9th - - -?---This Monday?

Yes?---No.

30

You didn’t use one of your telephone services to try and call the mobile number - - -?---Yeah.

- - - on which you had reached him in the past?---No.

Did you ask Sonata to do that?---No.

What about at any time this week?---No.

40

Have you asked Sonata to try and call Mr Shanker?---No.

And you say that you haven’t used any of your telephone services to try and reach Mr Shanker’s number?---No.

That concludes my examination, Commissioner. I tender the photograph or a screenshot of the video.

THE COMMISSIONER: Yes. I think there were two, two screenshots?

MR HUNT: There was a, there was a still photograph that Mr – this witness identified Mr Shanker from and then there's a screenshot from the video and I'd ask for a suppression order in relation to the licence number that - - -

10 THE COMMISSIONER: Yes. The registration number. Yes. Those screenshots from the video will be Exhibit E9 and I order that the registration number of the vehicle depicted in one of those screenshots be suppressed from publication.

**#EXHIBIT E9 - HARDCOPY OF SCREEN SHOT VIDEO
EVIDENCE SHOWING MR MOOTHEDATH AND MR SHANKER
IN A CAR AND A STILL PHOTOGRAPH OF MR PRANAV
SHANKER**

20 MR HUNT: And similarly if the registration number, it's been referred to in evidence could be suppressed.

THE COMMISSIONER: Yes. That's also subject to the suppression order.

**THE REGISTRATION NUMBER OF THE VEHICLE IS
SUPPRESSED**

30 THE COMMISSIONER: Mr Moothedath, can I just ask you when you spoke to Mr Shanker about providing you with a copy of his contract, and this was quite recently in 2015. Do you remember that evidence?---Yeah.

You told us that you went looking for his contract and you couldn't find it so you asked him to sign another copy?---Yeah, I - - -

Do you remember that evidence?---I, I asked him, you know, if he had the copy.

40 Ah hmm?---Yeah, so that he can give it to me, yeah.

And obviously you were going through your documents to find out what you had in relation to your records?---Yeah.

Did you go looking for the Schedule A?---No.

Why not?---Because I thought the – as I said I thought the Schedule A is the one with the contract rate. That's what I thought the Schedule A is. There was like two documents so Schedule A is the one with the contract amount,

the pay rate. I thought that is the Schedule A. Please refer to Schedule A for the pay rate so that is – that’s what I thought the Schedule A was.

That wasn’t your evidence earlier on as I understand it. I thought you said that there were two contracts, one of which disclosed the actual rate, the other one did not disclose the rate and Schedule A was supposed to have a daily rate on it that was the rate paid - - -?---Yeah.

10 - - - to the contractor?---Yeah. So which is the other, other document.
There’s two documents, right.

No?---Yeah, that’s what I was trying to say, yeah.

What, so you’re now saying that the reference in, the reference in the second contract to Schedule A was a reference back to the other copy of the contract. Is that what you’re saying?---Yeah.

20 Well, but the reference back to the other contract is the contract that shows the full daily rate?---Yeah. So it is - - -

The \$900 a day?---Yeah. That is the – that’s what I thought the Schedule A was.

Well, that makes no sense at all but anyway, unless you want to clarify that, Mr Hunt, I think we’ll probably have to leave it.

MR HUNT: Yeah. No, I’m happy to live with it as it is.

30 THE COMMISSIONER: Yeah. All right. Does anyone have any questions of Mr Moothedath? No, Mr Griffin?

MR GRIFFIN: No, thank you.

THE COMMISSIONER: No. Yes, Mr Dennis?

MR DENNIS: Yes, thank you, Commissioner. Sir, you first made Mr Meeth’s acquaintance when you – when he was working at Aristocrat. Is that right?---Yeah.

40 All right. And you were involved with Mr Meeth and Aristocrat with some software development and testing. Is that right?---Yeah.

And was the software known as Saleslogix?---Yeah.

All right. And it would be an incomplete picture to say that you were simply testing iPads in doing that work, you were in fact testing software. Is that right?---Yeah.

And would it be right to say that you were testing the functionality or the usefulness of the software on different devices?---Yeah.

All right. And assisting with the development of the software. Is that right?---Yeah.

Correct?---Yes.

10 Yes. All right. Do you recall that there was some other work that you did through Mr Meeth at Aristocrat concerning a help desk function?---No.

All right. Do you recall that you provided some services or perhaps contractor for a help desk function to do with a payment system that was being used at Aristocrat. Does that ring any bells for you?---I can't remember.

All right. Are you saying you didn't - - -

20 THE COMMISSIONER: Mr Dennis, Mr Dennis, I'm sorry to do this but here we have this problem yet again, you're framing questions in terms of whether or not this witness recalls certain things and he's saying no he doesn't.

MR DENNIS: Yes, thank you.

THE COMMISSIONER: I just want to make it perfectly clear that I wouldn't want you to think that that necessarily establishes that such a thing did occur and he simply - - -

30 MR DENNIS: Yes.

THE COMMISSIONER: - - - has no memory of it but we can deal with that later on.

MR DENNIS: Yes.

THE COMMISSIONER: I just don't think that the witness necessarily appreciates the distinction between the two.

40 MR DENNIS: Yes, yes. I'll put it more directly if the Commission pleases.

Sir, did you assist Aristocrat with a help desk payment system?---No, I can't remember off the top of my head.

Now it's quite clear you maintained some contact with Mr Meeth when he moved on from Aristocrat and was at the University of Sydney?---Yeah.

Now if the witness could be shown the phone diagram again if the Commission pleases, volume 16, page 61?---Ah hmm.

Sir, during – you see that there’s a number of months that recall, that record a high number of or high frequency of calls between yourself and Mr Meeth?---Yeah.

10 Sir, did you have any difficulties with your mobile phone during that period and specifically did you have difficulties with your phone often dropping out?---Yeah, I mean if I see, you know, this many number of calls it can be drop outs as well, yeah.

THE COMMISSIONER: Well - - -

MR DENNIS: Did you - - -

THE COMMISSIONER: Sorry, I just – I’m sorry. I just want to clarify this, you had a number of phones didn’t you?---Yeah.

20 And so if there was a problem it was to do, you say, with some problem with the signal?---Yeah.

I understood a moment ago when Mr Hunt was asking you questions he specifically said to you you don’t suggest, do you, that there would be problems with the phone dropping out and you said no, I’m not suggesting that. He specifically put to you that if there were repeat phone calls it would be because you voluntarily terminated the phone call and then rang Mr Meeth back?---No, no, I, I, I said it might have been that, that is probably one of the reasons. Yeah, I am not saying that, you know - - -

30 Mr Moothedath, I really have to, I really have to make you aware, and I’m trying to do this out of fairness to you - - -?---Yeah.

- - - I have to make you aware of the fact that you are giving completely objectively contradictory answers from one minute to the next?---No, no, I am, I am not saying - - -

I am, all I’m doing is pointing out to you - - -?---Yeah.

40 - - - that unless you focus on the question and answer the question accurately there are, there are problems associated with your inconsistent answers. Do you understand?---Yeah.

Yes, go on, Mr Dennis.

MR DENNIS: Yes, thank you.

Sir, during 2012 did you have a number of telephone conversations with Mr Meeth where the two of you contemplated setting up an IT services company together?---No, not that I can remember.

Are you saying, are you saying you – it did not happen or it did happen or you're not sure, which is it?---No, did not happen.

10 All right. I suggest, I'm suggesting to you, positively suggesting to you that it did happen, sir, that the two of you had some discussions about setting up an IT services company, what do you say to that?---As I said, you know, it's a long time ago, even I can't remember, you know, this many number of phone calls so - - -

And I'm positively putting to you, sir, that you had a number of discussions and in the end the idea simply went nowhere, the discussions petered out, what do say to that?---Yeah, I can't recollect.

20 All right. I'm going to ask you now about Ben Hall. It's the case isn't it that, that Ben Hall was referred to Canberra Solutions as a result of Jason Meeth, is that right? Ben Hall came to Canberra Solutions through Jason Meeth, correct?---Yeah.

All right. You, you weren't present for any conversation between Mr Meeth and Mr Hall when the name Canberra Solutions came up were you?---I, I, no, I don't think so.

30 All right. So you have no knowledge of – other than the fact that Ben Hall comes to Canberra Solutions and is somebody who knows Jason Meeth you don't know the details of any such referral, correct?---Yeah.

All right. After Mr Meeth left the University of Sydney the two of you came, remained in touch from time to time didn't you?---Yeah.

All right. And in, yes, and indeed when Mr Meeth was at the Roads and Maritime Service you had a discussion with him about whether or not you had any suitable contractors that could provide services for that organisation didn't you?---No, I checked with him time to time, yeah, but I didn't quite get that question.

40 All right. And, and it was the case that the upshot of any, any particular discussion was that you never had any suitable contractors at least in Mr, at least in Mr Meeth's view, correct?---I checked if there was an opportunity I think probably and maybe I didn't have the right contractor.

All right. Well, I'm suggesting to you two things, one that there was, there were some level of discussion about whether you'd had suitable contractors and number 2 that you never put any suitable contractors forward. What do you say about those things?---Yeah, there was a requirement that he had but

I think it was more of a CIO level requirement, you know, but I didn't have any suitable contractor at that time, yeah.

All right. You also had discussions with Mr Meeth when he was at the Cancer Council didn't you, about whether or not you had any suitable contractors?---Which account, I didn't hear that, can you - - -

Cancer Council?---Oh, Cancer Council, yeah.

10 All right. And the, the discussions there did not result in any contractor being put forward with you, by you, did it?---Yeah.

At least in Mr Meeth's view you did not have any suitable contractors available for any role that was put forward, correct?---Yeah.

Sir, when did you first know that ICAC was looking at these matters?
---When Simon called me, yeah, I don't know which date.

20 And do you, what, what month of what year was that?

THE COMMISSIONER: We know that it was 19 June this year.

MR DENNIS: Yes, thank you, yes, thank you, Commissioner.

You attempted to contact Mr Meeth after you spoke to Simon Berry didn't you?---Yeah.

All right. You sent him a LinkedIn email didn't you?---Yeah.

30 And Mr Meeth did not reply, correct?---No.

Sir, did you have any concerns or suspicions about ICAC looking at this matter prior to 19 June this year?---No.

None at all?---No.

You're a person with a wide network aren't you?---Yeah.

40 All right. You go to conferences, correct?---Yeah, I go to conferences.

You network with people through LinkedIn?---Yes.

You've had dealings with a number of contractors?---Yeah.

All right. Did you have any knowledge or concern or suspicion that the University of Sydney had referred these matters to its own investigation?
---Ah - - -

Prior to 19 June this year?---Did I, I didn't, say prior to the new, I didn't quite get that question, Commissioner.

THE COMMISSIONER: The question was did you know anything about or did you suspect that Sydney University might have been carrying out its own investigations, this is before 19 June this year?---Did I had a suspicion?

Did you know or did you have a suspicion - - -?---No.

10 - - - that - - -?---No.

- - - Sydney University might be investigating these matters before 19 June?
---No.

No.

MR DENNIS: All right. Did you discuss ICAC or did the term ICAC come up in any conversation between yourself and Mr Meeth at any time before 19 June this year?---No.

20

I want you to listen very carefully to the next few questions, sir. I'm suggesting to you that you had a telephone conversation with Mr Meeth in either late 2014 or early this year when the word ICAC was mentioned by you. What do you say to that?---I can't remember.

All right. And what I want to – I'll positively suggest to you, sir, that during the course of the telephone conversation in either late 2014 or early 2015, you said to Mr Meeth on the phone words to the effect that you were worried about ICAC. What do you say to that?---I can't remember that conversation.

30

THE COMMISSIONER: Sorry, what was that?

MR DENNIS: "I can't remember that".

THE COMMISSIONER: You can't remember that?---Yeah.

MR DENNIS: I suggest to you, sir, firstly, not only did you say those words but Mr Meeth responded with words to the effect of "Why, we've done nothing wrong"?---Yeah.

40

What do you say to that?---Yeah.

THE COMMISSIONER: Sorry, is that a yes?---I don't know, I can't remember that conversation, so - - -

Right.

MR DENNIS: During the course of that call, well firstly, you, you'd agree that you've paid no bribes to Mr Meeth?---What is it?

You've paid no bribes to Mr Meeth, have you?---No.

All right. Did you receive any knowledge or hint or suggestion from anyone within your network that somebody might be looking at the question of whether you were paying money to Mr Meeth prior to 19 June of this year?---Did I come to know – I can, the answer is inaudible for me.

10

All right. I'll put the question in a different way. Did you think before 19 June this year, did you have any reason to think that somebody might be looking at the question of whether you were paying money to Mr Meeth? Did you have hint of that at all that someone was looking at that question?--
-No.

20

Sir, I want to suggest to you that in the same phone call when you said that "You were worried about ICAC", you said words to this effect to Mr Meeth. "What about all the bribes"? And he responded "It was a competitive process you put forward the best candidates". What do you say to that?---I can't remember that.

THE COMMISSIONER: Mr Moothedath, it's not something that you'd forget, is it?---No.

If you said that to Mr Meeth - - -?---No, I don't think I have.

30

MR DENNIS: See, you were trying to engage Mr Meeth in a conversation about something that you'd picked up in your network, weren't you?---
Yeah, I - - -

Could I just be permitted a moment? Yes, thank you, Commissioner.

THE COMMISSIONER: Anything arising, Mr Hunt?

40

MR HUNT: Just trying to put together your answer to Mr Dennis about, I think you accepted a proposition that when Mr Meeth was working for the Cancer Council that you had proposed candidates for recruitment to him and when I was asking you questions earlier and I thought that you agreed with an idea that you weren't undertaking recruitment work or procurement work with Mr Meeth during the period that he was at the Cancer Institute. Am I right?---No. Yeah. No work from the Cancer Institute, yeah, yeah.

I'm correct that you weren't?---Yeah.

And you told the Commissioner when I asked you questions that you weren't doing recruitment or procurement work while Mr Meeth was working for the Cancer Institute. Correct?---Yeah.

So when you say you were proposing candidates for consideration by him when he was at the Cancer Council, that's the same job, right? It's really the Cancer Institute but you knew that Mr Meeth worked at Aristocrat then the Cancer Institute, then Sydney University. Correct?---Yeah. That's right.

10 So before Meeth got to the University of Sydney you were not engaged in putting candidates forward to him? Is that your evidence?---Before the Sydney University?

Yes. Before he got to - - -?---No.

- - - Sydney University you weren't, you or Canberra Solutions weren't putting candidates up to him, were you?---No, Cancer Council had some requirements and then, you know - - -

Huh?---Cancer Council also had some requirements.

20 THE COMMISSIONER: Yes, but you didn't put any candidates up to him whilst he was there, did you?---No. When, when, when they put candidates it was some requirement and then we couldn't source it or, you know, we couldn't get the right - - -

MR HUNT: So you didn't put anyone up? You didn't - - -?---It's, it's, it was more of an application development proposal, I think, yeah. It was not a candidate sort of requirement. It was I think, an application development sort of requirement.

30 What's that mean?---It's not, it's not a person requirement it is more of an application. It's a product development, I think.

It's not recruitment?---Yeah. It's not - - -

Not recruitment and it's not sourcing people to work on contract?---Yeah.

Correct?---Yeah.

40 Can I just – this doesn't arise, I'm sorry. I probably need leave, Commissioner.

THE COMMISSIONER: Yes. That leave's granted and then Mr Dennis can cover it if he needs to.

MR HUNT: I just want to be clear. Putting to one side electronic signatures of Sonata, did you ever write her name on documents or if her name is written on documents is it she wrote them?---Yeah. Sometimes it can be me most of the time, it can be her as well, yeah.

All right. So look at this. I'm just going to show you this, volume 5, page 75, please. Thank you. Can you just have a look at that one for a minute. The signature on that one is an electronic signature, isn't it?---No, I think it's, it's an actual signature, I think.

All right. Is the writing on that your writing Sonata's writing?---That is my writing.

10 Thank you. That might be returned. And they're the matters arising.

THE COMMISSIONER: Sorry, just before – I'm sorry, just before we go any further I just want to clarify. Why, why wouldn't you just ask your wife as the director of Canberra Solutions to sign the document? Why did you sign it on her behalf?---No, I didn't sign it. The sign was hers.

The sign, the sign - - -?---Yeah. The sign is hers but the name - - -

The signature's hers?--- - - - I wrote. Sonata - - -

20 So you wrote the name in and then you got her to sign it?---Yeah.

So every time we see her signature it's her signature?---Yeah.

MR HUNT: If there's a personal signature you say Sonata personally signed?---Yeah.

If there's an electronic signature sometimes you would put that there. Is that right?---Yeah. I'd check with her and - - -

30 But only with her express authorisation?---Yeah.

So you would – when you say you checked with her, you would never put her electronic signature on a document without her knowing that you were signing it for her?---Yeah.

Correct?---Yeah.

Thank you.

40 THE COMMISSIONER: Yes, yes. Thank you, Mr Moothedath. You can step down?---Yeah.

You're excused.

THE WITNESS EXCUSED

[3.09pm]

MR HUNT: Sonata Madambikat Devadas. Commissioner, today is a day when it would be convenient to stop at 4 o'clock for various reasons if that -
- -

THE COMMISSIONER: I need to do that anyway. I have another appointment at 4.15 so.

MR HUNT: Thank you. So then we could safely say to Mr Dennis, whose client has been on standby that we - - -

10

THE COMMISSIONER: It will be tomorrow morning.

MR HUNT: We're not guaranteeing that we'll get to him at 10.00 but we won't get to him any earlier than 10.00 tomorrow morning.

THE COMMISSIONER: That's right.

MR HUNT: All right.

20 MR DENNIS: Yes, thank you.

THE COMMISSIONER: Is it Ms Devadas or Mrs?

MS DEVADAS: M-s, Ms Devadas.

THE COMMISSIONER: Ms Devadas. You have to appreciate some of the rules that apply here before we start asking the questions.

MS DEVADAS: Okay.

30

THE COMMISSIONER: You're obliged to answer all of the questions asked of you truthfully even if those answers should involve you or incriminate you in some form of wrongdoing. You would normally be able to object to each and every question as it is asked so that your answers couldn't be used against you in any civil or criminal proceedings. However, I can make an order under the Act which applies as a blanket objection so that there's no need for you to object each and every time and by making that order your answers can't be used against you in any civil or criminal proceedings. But the order doesn't protect you if it should be found that you
40 have given false or misleading evidence to the Commission because in that circumstance we could nonetheless use your answers to found a prosecution for an offence under the ICAC Act which is punishable by a term of imprisonment. Do you understand?

MS DEVADAS: Yeah.

THE COMMISSIONER: Right. Do you wish to take advantage of the order?

MS DEVADAS: Yes, please.

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

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

THE COMMISSIONER: Would you like to be sworn or affirmed, Ms Devadas?

MS DEVADAS: Affirmed.

THE COMMISSIONER: Affirmed. Can we have the witness affirmed please.

THE COMMISSIONER: Yes, Mr Hunt.

MR HUNT: Ms Devadas, at all relevant times you have been the sole shareholder of Canberra Solutions Pty Ltd?---Yes.

10 And is the Commissioner to understand that you have always known that?
---Yeah, I am known that I am the director of the company, yes.

I'm not talking about director, madam. I'm talking about you are the sole shareholder?---Yeah.

In other words you own the company?---Yeah.

And you've always known that you owned the company?---Yes.

20 And you're the sole director of the company - - -?---Yeah, yes.
- - - at all relevant times?---Yeah.

And you've always known that?---Yes.

So you understand that you are the – both the owner of the company - - -?
---Yeah.

30 - - - and you're the person solely responsible for the actions of the
company?---Yes.

Is it right that you had signed various documents for the company?---Yes.

And I presume as a responsible director you read documents before you sign them?---I, I just say what is – I'll ask what is it and I'll get a reply and then I'll just look at the heading and just glance through what I need to sign then I'll sign. I will not read through the document meticulously if that is what you are asking there.

40 Why wouldn't you do that as the sole director of the company?---I didn't
want to. I was just a signatory and I didn't want to get involved with the day-to-day operations or immerse myself in the business. I'm – I was simply not interested.

But what do you mean just a signatory, you owned the company?---Yeah, but I didn't want to be involved in the business.

But didn't you appreciate that you were legally responsible for the things that you signed?---I didn't think that I was doing anything illegal so I wasn't worried about it.

I'm not – it's nothing to do with legality, madam. I'm just – as a principal, if you're the sole director of a company and you sign things you're responsible for what you're signing. Do you accept that?---Yeah.

10 So was Canberra Solutions in terms of you saying you didn't think you were doing anything illegal some mechanism to protect your husband from decisions that he was made commercially. Is that what you're saying?---No. I was saying that I, I was simply not interested because business is not my interest so - - -

Well, I imagine money coming into the household coffers is your interest? ---Only if I want to use that money, yes.

20 Right. And is it a reasonable proposition that in the financial years that included the calendar years 2012 and 2013 that Canberra Solutions had an unusually profitable period?---I heard that, yes.

Well, you knew it didn't you?---I – as I said I don't delve into the business matters much. I just sign the documents that's it.

But - - -?---That was part of my involvement

Do you understand that more than one and a half million dollars flowed into that company across those years?---Yeah, I heard it today, yeah.

30 Are you seriously sitting in that witness box saying to the Commissioner on your affirmation that you didn't know that before today?---Exactly, yes.

Yes, you are?---Yeah.

So what was your taxable income in the financial year that ended 30 June, 2013?---I don't know. I just signed - - -

40 THE COMMISSIONER: Ms Devadas, can I just raise something with you?---Yeah.

On a prior occasion you told us that you in fact signed the tax return for the company in the relevant financial year?---Yes, I did.

Well, you must have signed it having read what the taxable income was? ---I, I don't – because I don't know what has been earned and what has been spent - - -

No, no, no?--- - - - I just sign.

Listen to my question?---Yeah.

You must have signed the document - - -?---Yeah.

- - - knowing what the taxable income was on the document that you signed?---I, I didn't particularly check. I'm seriously telling you I didn't check.

10 Do you know - - -?---I just signed it.

Do you know that on a tax return there is a declaration where the taxpayer signs which stipulates that the taxpayer declares that everything in the document is true and correct to the best of the taxpayer's belief?---Yeah.

Do you know that that's the form of a declaration?---I don't know. Yeah, I think so, yeah.

20 Well, it appears directly where you have to append your signature on the document?---Yeah.

You read that didn't you?---Probably, yes.

Well, then how would you have signed the document without satisfying yourself that what was in the document was true and correct?---Because even if I checked I wouldn't know any better so - - -

30 If you had checked and seen that the company had garnered something like one and a half million - - -?---Yeah, but this is the first time I'm hearing it and I - - -

Let me finish?---Yeah.

If you had checked the document and seen that the company had earned something like one and a half million over a period of 18 months - - -? ---Yeah.

40 - - - wouldn't that have caused you to ask your husband some questions about where that money came from?---As I said I - this is the first time I am noticing that so, yeah.

All right. Well, I'm not getting an answer but in any event - - -?---Yeah.

- - - can I just ask you to listen carefully to Mr Hunt's questions?---Sure.

And try and answer the question rather than volunteering answers that are non-responsive?---Sure.

MR HUNT: All right. You signed many contracts personally - - -?---Yes.

- - - for Canberra Solutions. Correct?---Yes.

Is your evidence to this Commission that you signed them without reading them?---Not reading through – okay. I would know that it is a contract for employing and I'll just sign it.

10 All right. Are you saying to this Commission that you had no function whatsoever to do with the running of Canberra Solutions Pty Ltd beyond signing documents that your husband presented to you from time to time? ---That's right.

Are you saying that you didn't have telephone contact with various contractors about their timesheets?---Yes.

Yes, you did or - - -?---I, I, I haven't - - -

20 - - - no, you didn't?---No, I had nothing to do with timesheets.

Are you saying that any emails that went out under the name Sonata M from a Canberra Solutions email address were not despatched with your authority?---I did not send them. That's all I am saying.

So they were despatched without your authority. Is that what you're saying?---I said I have given my husband permission to, you know, use my name and - - -

30 What did you give him permission to do exactly?---Whatever needed to be done on the behalf of company, day to - - -

Anything?---Yeah, anything.

You gave him absolute authorisation to do anything?---Yeah.

Do you understand how it is that your company came to make the big profit that it did in 2012/2013?---Yeah, I am hearing that, yes.

40 How?---I heard it now.

How did it make the profit, put in your own words to the Commissioner how your company made profits?---By supplying contractors to University of Sydney through various contracting companies.

And how was the money made by Canberra Solutions?---I think from the payment given by University of Sydney.

What's that mean?---University of Sydney paid for the contractors.

Yes, how did Canberra Solutions make its money?---I think whatever money was not given to the employees, the contractors, the, that remained with Canberra Solutions.

Yeah, and what sort of percentage was Canberra Solutions making?---I have no idea.

10 Even sitting listening today?---Today I heard that it was sometimes 50 per cent, sometimes more, sometimes less.

All right. Do you realise that effectively your company was exploiting either the contractors or the University or both?---As I said, as I heard my husband say - - -

No.

20 THE COMMISSIONER: Well, we're not interested in what you - - -?---No, what I'm saying - - -

Excuse me?--- - - - that this is my knowledge.

No, please stop?---Yeah.

We are not interested in what you heard your husband say?---Yeah.

We are interested in your knowledge?---Yeah.

30 That is important - - -?---Yeah.

- - - because anything you say by way of repeating what you heard your husband say has absolutely no weight as far as we're concerned and I want you to understand - - -?---Yeah.

- - - that?---Okay.

It's not just a turn of phrase, it's important that what we get is your answers not somebody else's?---Okay.

40 MR HUNT: Are you saying that you, until you heard any evidence today - - -?---Yeah.

- - - you have not understood - - -?---Yeah.

- - - the mechanism by which Canberra Solutions made profits in 2012/2013?---It was my understanding that University of Sydney paid, paid for the contractors and after paying the contractors the rest of the money was ours.

How did you gain that understanding?---I think that is what, how the business is working, that's what my assumption was.

Yeah, but when did you get that understanding?---I think I have always known that.

10 From your husband?---No, just ah, I think that is how HR companies work, right, HR companies or any IT services company, whatever you pay after your expenses that is what your profit is, that's what my understanding of the business.

What are your tertiary qualifications?---Masters in Teaching.

And?---Masters in Computer Applications.

Any more?---No.

20 All right. Did you authorise your husband to put your electronic signature on documents?---Yes.

In each instance did you specifically authorise that or did you give him a blanket authorisation to do what he wanted?---I said, he would say, he might have said, I'm not sure but I have given him permission, like you can use it whenever you want it.

30 All right. Not document by document, he just sign for you?---Yeah, but, yeah, or he might say I am going to use it, I need to send an email, I am going to use it so he didn't even have to say that so - - -

So just to be clear you gave him a general - - -?---Yeah.

Bear with me, you gave him a general authorisation to sign on your behalf? ---Yeah.

You say to this Commission you've never spoken to a contractor - - -?--- Yeah.

40 Madam?---Sorry, sorry, sorry.

Don't answer the question till I've asked it?---Okay.

Do you understand?---Yeah.

You say you have never spoken to a contractor about their timesheets? ---Yes.

You say you have never spoken to an employee of a C100 company about timesheets?---Yeah.

You say you don't know how much money you earned from Canberra Solutions in the financial year ending June 2013?--- Yeah.

You earned \$105,000, did you know that?---I heard that today, yeah.

Hmm?---I heard that today, yeah.

10

All right. You would have signed a tax return I assume - - -?---Yeah.

- - - to get tax back?---Yeah.

And you would have signed the same kind of declaration that the Commissioner was asking you about earlier?---Yes.

Do you say that you signed that declaration without reading what your income was?---Yeah.

20

Are you saying you didn't have any discussion with Balu about what the income split would be between himself and yourself?---Yeah.

Do you say that you had knowledge of people who are employed by Canberra Solutions?---Yeah.

You do?---I know that there are people.

30

No, do you have your own knowledge, not what you've heard today, do you have your own knowledge of employees of Canberra Solutions?---No, I don't personally know any of them.

Ever?---No, I might have met one or two, that's it.

All right. Do you say that you've never had face to face conversations with any contractors - - -?---I think I met - - -

- - - retained, placed in positions at Sydney University?---I think I met one or two, yeah.

40

Well, who?---I think Pranav and it would be - - -

Who?---Ah (not transcribable)

Sorry, what was the first name you said?---Pranav or (not transcribable), Pranav and (not transcribable) I think, yeah.

Are you talking about Pranav Shanker?--- Yeah.

That person you've met?---Yeah.

You've met him at your home?---Yeah, I think one time, yes.

And he came to your home this year didn't he?---I don't remember this year or last year.

10 He came to your home to have discussions about this investigation didn't he?

---I don't know.

He had a long conversation with your husband Balu at your Lane Cove premises didn't he, this year?---I have no idea.

I'm suggesting that he did and that you were there in another room?---I don't know.

20 You don't know?---No, I don't think he came.

I'm suggesting that your husband and he had a long conversation and from time to time your husband would leave his conversation with Mr Shanker and consult with you?---No, I don't think so.

You don't think so or it didn't happen?---No, no, it didn't happen.

30 So why are you saying you don't think so if it didn't happen?---Because I don't think so, like why would he come and check with me because I don't have any day to day - - -

All right. Do you understand the difference between "I don't think so" and "it didn't happen"?---Ah, yeah.

They're two different concepts aren't they?---Yeah, yeah.

All right. Because "I don't think so", do you agree, admits the possibility that it might have happened, is that right?---Yeah.

40 Okay. So when you said you don't think so in relation to Shanker being at your home and your husband consulting with you was it a "it didn't happen" or a "I don't think it happened"?---It, it didn't happen.

Why was Canberra Solutions given the name Canberra Solutions?---Because we, I like the name. It was an Aboriginal name and I liked it.

All right. An Aboriginal name?---Yeah.

All right. It wasn't designed to suggest that it operated somewhere other than in Sydney?---No.

All right. You know Canberra is the name of the national capital don't you?---Yeah, but it means meeting place, I thought that is what, that was a really good name because meeting talents together.

So you have nothing to do with the company but you named it?---Yeah.

10 Right. And you had I mind what the company was going to do when you named it?---Yeah.

Meeting talents together?---Yeah.

So when was that idea for the company conceived?---Maybe three or four years back.

All right. What's your involvement with Jason Meeth if any?---Nothing.

20 Never met him?---No.

Ever talked to him?---No.

You know your husband knows him?---Yeah.

And you knew your husband knew him in early 2012 I suggest?---I am learning lots of things today, yes, so - - -

30 No, I'm saying in 2012 you knew then that your husband knew Jason Meeth, correct?---Oh, no, no, I - as I said I don't have involvement with the company so I know that he meets lots and lots of people, he talks with lots and lots of people, I don't know their individual names unless I personally met them or talked to them.

All right. So I don't want to go into specifics but you would say if contractors or other C100 personnel have told this Commission they've had dealings with you that they're mistaken if they were face-to-face or telephone dealings?---I haven't talked to them on the telephone, I haven't emailed them so, no.

40

And any emails that go in your name you don't know anything about?---Yeah.

And what about when you were required or your company was required to produce documents to this Commission I assume you would have wanted to ensure that the correct documents were provided?---Yeah.

And because more recently since your husband has been running AVA you actually have had responsibility for Canberra Solutions. Correct?---No.

Hmm?---No.

No?---No.

So are you saying you've never had ever responsibility for Canberra Solutions?---That's right.

10

Even since the time your husband ceased working for his past employer? ---Yeah.

And even since he started his new project of AVA Pty Limited. Is that right?---Yeah.

Could you just explain to the Commissioner why it is that you were the director - - -?---Yeah.

20

- - - of the company if Balu was the one making all the executive decisions and taking the actual responsibility for matters?---At that time he was working for another company. That was only recent.

And, so what?---So we just – just like that so we didn't want something else on his name.

So if I ask you questions about things that the company has produced to this Commission compared to other documents on hand, you just can't comment?---No.

30

Is that right?---Yeah.

So if I show you contracts that have got one figure on one contract and another figure on a different contract, you'd simply say I don't know? ---Yeah.

Do you remember the day investigators came to speak to you at your house at - - -?---Yeah.

40

- - - Lane Cove?---Yeah.

Would that have been in late June this year?---It was during a school vacation so probably.

All right. Was your husband at home that day?---I think so.

And he left after you had finished discussing things with the investigators. Is that right?---No. I don't know.

You don't – is it no or you don't know?---I don't know.

Did you discuss with him what the answers you'd given to the investigators are?---I, I told him that the investigators were asking me lots and lots of questions and I didn't know the answers to any of them.

10 Apart from the Lane Cove premises does Canberra Solutions operate in a commercial sense from any other premises?---I think there is a post box ID that – official post box ID somewhere in the city.

What does a post box ID mean?---I think, I think people can send mail over there.

All right. So it's just a mail facility rather than anything else. Is that right? ---Yeah.

20 Do you know anything about your husband meeting up with Pranav Shanker from time to time?---No.

Can't comment on that?---No.

Do employees of Canberra Solutions come and work from the Lane Cove premises from time to time?---Occasionally they come I think.

Okay. Well, who comes?---I don't know because as I – like I was working – sorry. I was studying at the University so probably I would reach home like around 6.00, 6.30 so I have no idea.

30 What period are you talking about that you were working at the University? ---Not working at the University. I'm – I was studying at the University.

Okay, studying. What period?---2013 and – 2013 and 2012 I think.

When did you graduate?---I graduated in 2014.

All right.

40 THE COMMISSIONER: Well, what about during 2012, did you see people who came to the unit from time to time - - -?---No.

- - - who did some work for Canberra Solutions?---No.

MR HUNT: All right. It's a pretty modest apartment in terms of the accommodation I'd suggest to you isn't it?---Yeah.

So if you were there and an employee was there - - -?---Yeah.

- - - you would know they were there?---Yeah.

And is it a situation where there's a bedroom for yourself and your husband I assume?---Yeah.

Bedroom for your son?---Yeah.

And the work gets done what, in the living areas does it?---Yeah.

10 All right. Could you name any employee of Canberra Solutions apart from yourself and your husband?---Pranav.

Hmm?---Pranav.

Are you talking about Pranav Shanker?---Yeah.

All right. He's a contractor though isn't he?---Yeah.

20 He doesn't – you know that he doesn't do work for Canberra Solutions. He used to be placed in a contract - - -?---Yeah.

- - - by Canberra Solutions?---Yeah.

All right. Focus your mind on people who are employed by Canberra Solutions rather than contractors. Do you understand the difference? ---Yeah.

All right. Name an employee of Canberra Solutions?---I think Pooja.

30 All right. What's her last name?---Don't know.

Where do you get that name from?---I have heard of it like, you know. Yeah.

In what context have you heard of it, madam?---Maybe she is – I, I can't remember.

40 Well, what were you going to say, maybe she's?---No, I – like I think she was working with us and then he, he, he said that he was trying to place her somewhere or something like that so - - -

Who is he?---My husband.

Trying to place her in what?---Place her in other company or, you know, yeah.

All right. So what sort of work was she doing for Canberra Solutions?---I have no idea.

You must have some idea, it's your company?---No. I said I don't want to deal – have anything to do with the company. I'll just sign the documents, that's it.

THE COMMISSIONER: Ms Devadas, you don't strike me as an unintelligent person. You've got a Masters in IT and - - -?---Yes.

10 - - - as I understand it you worked in IT services - - -?---Yeah.

- - - before you came to Australia?---Yeah.

Well, just stop and think for a minute will you?---Yeah.

You were the sole director and the sole shareholder of a company - - -?
---Yeah.

20 - - - that was ostensibly employing people and also placing people on contract with other agencies?---Yes.

As the sole director and shareholder you were the only person who could be legally liable - - -?---Yeah.

- - - for, for example, debt incurred on behalf of the company?---Yeah.

Perhaps an offence against the Corporations Act?---Yeah.

Perhaps an allegation of fraud committed by the company?---Yeah.

30 You were the only person according to the records that might be produced against whom proceedings could be taken?---Yeah.

You knew all of that didn't you?---Yeah.

Well, that's not having nothing to do with the business is it?---Because I didn't want to – once you are in then you are given more and more responsibilities. I didn't want that. I wanted to go in a completely different direction so I said - - -

40 You were already the director and the shareholder. You couldn't have been more involved if you tried?---But I didn't want to engage myself with any of the operations in the company.

MR HUNT: Ma'am, are you trying to distance yourself from the commercial decisions that the company has made?---Yeah. I didn't have any involvement so - - -

You are?---Yeah, I am.

You're trying to distance yourself from the commercial - - -?---Yeah.

- - - decisions?---Yeah, I am.

And that's because you're concerned about some of the integrity of the decisions that the company has made?---No, that is not right.

10 Well, why are you trying to distance yourself from the company given your shareholding and your directorship?---See if – I know that I will be ultimately held responsible but if I don't know anything about it how, how can I speak about it.

So it's a willing blindness on your part isn't it?---Yeah. I don't want to – I don't know what is happening so I don't want to, you know, say – I have heard lots of thing over here. That's the first time I am hearing about it and how can I say that oh, this is what is happening if I don't know anything about it.

20 THE COMMISSIONER: Are you suggesting, Ms Devadas, that your way of protecting yourself against any allegations of wrongdoing against the company, notwithstanding that you're the sole director and shareholder, is to say I didn't know anything about it therefore I can't be held responsible? ---No, I know that I'll be held responsible if you are finding this, this company has committed a crime but I am saying that I don't know anything about it so I can't give you any details.

30 Well, I thought a moment ago you were saying that you deliberately shut yourself out from any knowledge of the company's dealings because you wanted to avoid responsibility for whatever occurred?---I said I, I didn't want to be involved in any of the operations. I don't want to – I didn't want to take any business position, I didn't want to send any payroll or timesheet or anything. I didn't want to do any of those.

And Counsel Assisting asked you why you would be so concerned about distancing, about in effect distancing yourself from the company. What was your concern, why didn't you want to be involved?---Because whatever I say will be hearsay. It wouldn't – I wouldn't have any direct knowledge of it.

40 If you had taken some – if you had taken some part in the decision making, you would be in a position to give us information. What I'm asking you is why did you go to such lengths to not have any relevant day to day knowledge or, or familiarity with what the company was doing? What was your concern about becoming involved in knowing these arrangements, these business arrangements?---Because I don't want to deal with any money transactions. I don't want to send any correspondence, I hate doing that.

MR HUNT: What became of the profits that Canberra Solutions made during the period that it was making a lot of money?---I have no idea.

Do you have an idea the level of income that Canberra Solutions attracted before the period involving contractors at the University of Sydney?---No.

No idea?---No idea.

10 You wouldn't know whether it made \$2 million or \$2?---No. Until today that's, that is.

THE COMMISSIONER: The company's operations at the time that you were studying at Sydney Uni or wherever it was that you were studying, I don't know. That was the sole source of, of the family's income wasn't it?--
-No.

Well what were the other sources of income?---My husband was working.

20 Well, no. I'm talking about this period of time, the 18 months during which Canberra Solutions was placing these candidates with Sydney University, that was the sole source of the family income, wasn't it?---Until I started working, yes.

Well, when did you start working?---Last year.

All right. Well I'll come to the original question?---Yeah.

30 For the 18 months that your husband was putting candidates through these C100 companies to Sydney University that was your sole source of family income?---Probably, yes.

Well it's not probably, it was, wasn't it?---I don't know. I don't deal with the money matters. Even now whatever I earn it goes into a bank account and I transfer it straight away to his account. So he deals with whatever expenses are they. I don't want to deal with money, simple as that.

You had access to your joint account, didn't you?---If I wanted to, yes, I could have had, yeah.

40 Are you going to tell the Commission that for 18 months you didn't look at the joint account and determine for yourself what income you were able to access for the purposes of family expenses for the whole 18 months? You had no idea?---Yeah. That's right.

You're seriously telling us that, are you?---Yeah. I'm seriously telling you that.

So you wouldn't know from one moment to the next whether you were deeply, deeply in the red or blissfully in the black?---That is right.

No idea?---No idea.

MR HUNT: What, what property in the United States do either you or your husband own?---I don't know.

10 Do you or your husband send money to -- home to family in India?---
Sometimes, yes.

How much?---No idea.

What about money to Fiji?---Sometimes, yes.

Who does it go to there?---I think his brother.

What's his name?---Rashid.

20 Can we have a short adjournment, please, Commissioner?

THE COMMISSIONER: Yes. We'll adjourn for a few moments and let me know when you're ready. Thank you.

SHORT ADJOURNMENT

[3.44pm]

30 THE COMMISSIONER: Yes, thank you. Yes, Mr Hunt.

MR HUNT: Now, Ms Devadas between in the years 2012 and 2013 what mobile telephone number did you usually use?---If I wanted to make calls I would use my husband's telephone.

Are you saying that you didn't have a telephone of your own?---I think I had but it didn't have much money on it so I would - I can't make - it was just kept for emergencies so I would use my husbands, unless it was an emergency I would use his telephone.

40 All right. Well, let's start with your one irregardless of the credit arrangements, what was that phone number?---At that time I think it was [REDACTED]

And did your husband during that period have one phone number or a number of phone numbers?---I think he had one phone number.

What was that - - -?---I'm not sure, I'm not sure.

What was that phone number?---I don't remember but it was the company's phone.

You don't remember your husband's phone number?---Now, it was a long time ago so he's changed that number.

All right. As I understand it a number of phones were held within the household, sometimes used by you, sometimes used by Balu and sometimes used by your son. Do you agree with that?---Yes.

10

And were, within those phones they were the people who used any of the household phones?---I don't understand that question.

Was there anyone other than yourself, your husband or your son that used phones in the household?---No.

That was it?---Yes.

Regardless of the phone number?---Yes.

20

All right. Now, anything that I put to you about the operations of Canberra Solutions Pty Ltd in 2012 and 2013, it's your intention to say I don't know. Correct?---Yes, because I don't know.

And so it doesn't matter what document I show you or what scenario I suggest to you - - -?---Yes.

- - - you will also answer I don't know about that?---Yes, you can just ask me whether it's my signature, my name, that's it, that's all I can recall.

30

But other than that, any sense of personal knowledge or personal responsibility you say not mine, I wouldn't know, I can't comment.---Yes.

So in fairness to you, if I were to put propositions about things that Balu did, for instance, or things that the Commission is investigating in relation to the company's activities, you would say, don't know, can't comment.---Yes.

Do you think now that you understand the scale of the profit and the money that came into your family system and indeed into your company, that your husband's taken advantage of you?---No, I don't.

40

And why not?---Because, in what way has he taken advantage of me?

Well, you - - -?---I told him that he could use my name, he can use my name so.

This is a company that made something like \$800,000 across an 18 month period and you didn't understand that until today?---Yes.

And this is a company that had a turnover from virtually a standing start to a turnover across an 18 month period of \$1,500,000 and you don't think you've been kept on the dark financially at all by your husband?---I didn't ask about it, so.

10 All right. Perhaps I can ask you this because this is something you can comment on as somebody with two graduate qualifications across two continents. Understanding now the way Canberra Solutions made its money, that is by taking virtually 50 per cent of the daily wages of people in circumstances where people were intentionally kept into the dark as to how much money they were making in any one day, how do you feel about the way Canberra Solutions made its money across that period in 2012 to 2013?---If the employees were cheated in any way, like they said, okay, um, they - I knew that they were in desperate circumstances and we were taking advantage of them, I would say that it is completely unfair, but if they were happy with the payment then I don't see any problem because when my husband was working with all the other companies they were charging lots of, lots of money for him with the companies they were contracted to and he 20 was paid a pittance, that's the way it has been in our house for a long time, sir. That is what we know.

THE COMMISSIONER: What, so because your husband was paid a pittance at some stage you think it's acceptable that these other people were being underpaid for the job that they were doing?---If they accepted say, like it, if is okay, if it is by the industry standard than why not.

30 But it wasn't by the industry standard because they weren't told what the daily rate was, they were simply told that they could only get this much money and that much money was only half of what Canberra Solutions was being paid. So my point is, did you regard the fact that your husband had previously been paid a pittance as sufficient justification for paying these other people a pittance, is that the point your making?---What the point I am making is um, if they, if they knew that industry standard was more than that, why would they join with our company? Secondly, I am working with the government sector where government, I am working in education system. I am paid a pittance compared to the work the other, my fellow teachers are doing, they're paid a pittance. So I'm seeing it everywhere. Just as it's not happening to - - -

40 Ms Devadas, your, the amount that you are paid and the amount is other teachers are paid is transparent, isn't it? You can simply determine by reference to the grade or seniority of a teach what the relevant income band is?---Yes, so - - -

Right. Well, the point we're trying to make is this. The daily rate that Sydney University was paying to Canberra Solutions was not the daily rate being paid to the candidates, they were being paid half of that amount and

they were never informed of the whole daily rate. So the point is, they weren't told what it is, that's what we're trying to convey. Now you understand that's the position don't you?---Yes.

So they weren't in a position to protest because they simply didn't know what the daily rate was and it was hidden from them. You understand that, don't you?---Okay, yes.

10 MR HUNT: So understanding that it was intentionally hidden from them - -
-?---Yes.

- - - by your company and that effectively your company - to use an Australian expression - ripped them off, do you agree that Canberra Solutions has behaved in an unconscionable way to the contractors?---So, to my understanding, if I were asked to do this again, I would definitely tell them this is what I'm getting from the University but this is what I'm going to pay you. If you're okay with it, then join with us, that is what I would say. I wouldn't keep them in the dark.

20 THE COMMISSIONER: I think that's a yes, to your question Mr Hunt.

MR HUNT: Yes. So do you agree that you would now conduct business differently for Canberra Solutions that the way Canberra Solutions did it with these candidates was dishonest effectively?---What I would say is I think all this hassle is happening because of just that technicality so I would say this is what has been paid, so this is what is paid, this is what we are going to pay you, if you, if you agree with it we can work with you, otherwise we can't simply take you as an employee that is what I am, I am saying at the moment.

30 What do you mean by "this hassle"?---This investigation is based on that, right, like we didn't disclose the amount what, what, what was paid by the University.

What do you, what do you understand this Commission is investigating, madam?---Corruption whether, against Jason Meeth.

Yes?---Yeah.

40 And to you you would characterise that as a hassle would you?---Yeah, it is definitely a hassle for me.

And you would characterise the way your company has dealt with these contractors as a hassle to you, is that what you're saying?---No, what I, I understand is that if I were given a chance again I would definitely disclose the amount, this is what has been paid by the University and this is what we are going to pay you, are you willing to work with us, that is what I would say basically, yeah.

And you understood the methodology that your husband was employing to make money didn't you?---Right now, yes.

No, back then when it was happening?---No, no.

How did you know that your husband was making a pittance back when he was?---He has told me that like, well, he would sometimes say what has been paid like what is the amount so he would say that that's what
10 Aristocrat is paying or whatever that but I'll get paid as much - - -

No, I understood that you held yourself immune from such - - -?---As I said
- - -

Bear with me, madam?---Yeah.

I understood that you held yourself immune from such unattractive things as to what money was coming into the household, isn't that your position?
---Yeah, yeah.

20

So are you now saying that your husband once complained about his remuneration?---No, no. What I am saying is that last time when our, when our son asked, like, you know, what is the amount and he was sort of, sort of describing okay, this is what I get, I used to get, then I needed to pay this to this company and I need to pay this much tax, so he was explain to my son so that he was saying that he wanted a particular toy and said that we don't have that much money, we can't go and buy toys everything, so he was sort of - I listened to him explaining to my son this is how money goes so that's why I'm able to say that.

30

This is back in the Aristocrat days before the Canberra Solutions days?
---Yeah.

THE COMMISSIONER: Have either you or your husband been to India for visits for family or to Fiji or overseas in, in this period of time between 2012 and 2014?---Yes.

And how often?---Once a year.

40 And is that the whole family?---Yeah.

And was that to India?---Yeah.

And how was it that you ascertained that you had enough money to undertake those trips?---So we would book very, look for discounts online and then at the cheapest rate we would book and that's the only expense, like we save all our vacation time for India, that's the only main expense that we have in a year.

But if you didn't know what income was being brought into the family home you didn't have any idea of whether or not you could even pay for those trips?---Yeah, but my husband is booking the tickets so I had nothing to do with it.

Oh, right.

10 MR HUNT: Was your husband in terms of getting a pittance and having to pay when he was on contracting drawing an analogy between the contractors that Canberra Solutions had on its books in 2012/2013?---I don't know because I don't know what his exactly salary was.

Nothing further.

THE COMMISSIONER: Does anyone have any questions of Ms Devadas?

MR GRIFFIN: No, thank you, Commissioner.

20 THE COMMISSIONER: Nothing, Mr Dennis?

MR DENNIS: No, Commissioner.

THE COMMISSIONER: Right. Thank you. Well, Ms Devadas, you can step down, you're excused.

THE WITNESS EXCUSED

[4.05pm]

30

THE COMMISSIONER: I'll adjourn till 10.00am tomorrow morning, thank you.

AT 4.05PM THE MATTER WAS ADJOURNED ACCORDINGLY

[4.05PM]