

SPECTORPUB00534
26/02/2014

SPECTOR
pp 00534-00615

PUBLIC
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION SPECTOR

Reference: Operation E13/0275

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 26 FEBRUARY 2014

AT 10.03AM

Any person who publishes any part of this transcript in any way and to any person contrary to a Commission direction against publication commits an offence against section 112(2) of the Independent Commission Against Corruption Act 1988.

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

THE COMMISSIONER: Yes. Mr Dennis, I understand you're appearing in lieu of Mr Buchen?

MR DENNIS: Yes, Commissioner.

THE COMMISSIONER: Yes, yes, you're granted leave - - -

MR DENNIS: Thank you - - -

10 THE COMMISSIONER: - - - on behalf of Third Horizon and Mr Rogers. Yes, yes, Mr Polin.

MR POLIN: I call Joseph Camilleri, Commissioner.

MR CHEE: Commissioner, Mr Camilleri seeks an order under section 38 of the Act - - -

THE COMMISSIONER: Yes.

20 MR CHEE: - - - and will take an oath, thank you.

THE COMMISSIONER: Yes, just take a seat. Mr Camilleri, you understand I take it that if I make an order under section 38 it protects you from the use of your answers in any criminal prosecution but it does not protect you if there should be proceedings against you for giving false evidence to the Commission?

MR CAMILLERI: Yeah, I understand that.

30 THE COMMISSIONER: Yes. 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 accordingly there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

40 **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 ACCORDINGLY THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.**

THE COMMISSIONER: Can we swear the witness please, thank you.

THE COMMISSIONER: Yes.

MR POLIN: Is your name Joseph Francis Camilleri?---Yes, it is.

Mr Camilleri, you've been here during the course of this entire hearing starting from last Monday?---Yes.

10

You've sat through and you've heard all the evidence over five or so days? ---Yes.

What is the truth of the matter, are you the person they've described as Mr Probity or are you Mr Conman?---I'm, I'm Mr Probity as far as I'm concerned.

You've steadfastly maintained that you've borrowed money on behalf of your daughter?---Yes.

20

That she had various legal problems?---Yes.

And you've, she's given you various stories as to those legal problems? ---Yes.

And you've steadfastly maintained that you believed her and her stories all the way along?---Yes.

Is that the case?---Yes.

30

Is that still your evidence?---That's my evidence up to now, yes.

Up to now?---Or up to this hearing, yes, up to the compulsory hearing I gather and then my eyes were opened a little bit about her gambling issue which I wasn't aware of.

So when do you say your eyes were opened?---Ah, probably a couple of weeks prior to the compulsory and more so through the compulsory hearing.

40

You said your eyes were opened a little bit, what does that mean?---Well, that um, that there's some gambling issue involved in this, I don't have any facts either way.

Now when did the story first start?---Ah, probably around 2008/9.

And would it be fair to say that back in January 2008 was roughly when it may have started?---It could have been, yes.

From that point in time, January 2008 up until the present time, have you ever truly believed what your daughter was telling you?---I believed it all the way, yes.

Have you ever truly believed everything that she was telling you?---Yes.

That's simply not true is it, isn't it?---No.

Well, can I show you this document. This is page 431, 431.

10

THE COMMISSIONER: Thank you.

MR POLIN: Now you can see this is an email chain dated 21 January, 2008?---Yes.

Before you look at it did you ever have the slightest doubt she was telling you the truth, this is way back in 2008?---Not so much the truth but I wanted facts to support what she was saying.

20

Right. Well, if we look at the email chain and it works backwards so if you go to the second page she's obviously corresponding with you about some problems she has in relation to payment of some debts, do you see that? ---Yes.

Do you see then at the bottom of the first page is your email back to her where it says, "See if you can use your money this time it would be good. Then we will discuss paying back Nannu, Peter and me."?---Yes.

30

Next paragraph, "No more lies." Do you see that?---Yes.

What does that mean?---I'm trying to recall what this was about first. I can't recall why I would have said that. I could - - -

It sounds like you're telling your daughter don't tell me any more lies because you're aware that she had been telling you lies in the past, that seems to be clearly what it's saying doesn't it?---That's what it clearly says, yes.

40

And then if you move up the email chain a bit further she's responding to that saying if she had her own way she'd use her own money to which you then reply, "See you tonight, bring home all the evidence." Do you see that?---Yes.

So it's clear back in January 2008 in terms of the story you believe that she'd been telling you lies and that you were requiring her to bring home all the evidence to verify her story?---For what - - -

Do you see that?---For this particular issue, yes.

So you didn't believe her. That seems to be what the email's suggesting doesn't it?---I don't know if it's suggesting that, she may have said something to me that wasn't the truth at the time and I said don't like to me anymore.

Then it goes a bit further where she says to you, "You sound like a cop." Do you see that?---Yeah.

10 To which you respond, "Guess who is the crook?" Well, what's that supposed to mean?---I don't know, I can't even recall what this issue was about.

There's no doubt is there that on a normal reading of that email chain your daughter is corresponding with you about a debt that she's got to pay?
---Yes.

20 And that you've got doubts as to whether she's had told you the truth in the past about it?---It appears that way.

And you're asking her to bring home evidence to verify it?---Yes, for this particular case, yes.

Yeah. Well this is when this case all started didn't it?---This is when she started asking for money, yes.

30 So the very first time, right at the very beginning when she started asking for money you had concerns that she was telling you the truth and you're asking for verification?---On this issue, yes.

Well that's, there's only one issue isn't there?---Well this, whatever this particular issue was, yes.

Yeah. I tender that email.

THE COMMISSIONER: Yes, that's Exhibit 31.

40 **#EXHIBIT 31 - EMAIL FROM JOE CAMILLERI TO JESSICA
CAMILLERI CONTAINING CHAIN OF EMAILS DATED 21
JANUARY 2008**

THE COMMISSIONER: Mr Camilleri, when you say whatever this particular issue was Counsel Assisting indicated that it appeared to be over a debt that she was owed. That's the issue isn't it?---I, I don't - - -

Do you agree with that?---I don't recall honestly, I don't.

I beg your pardon?---I don't recall what this issue was about.

No. But on the face of the email I thought you agreed that it appeared to be in relation to a debt that she owed and she was, and she was not telling you the truth in relation to what it was and how she was going to pay it back?
---It was in relation to a debt, yes.

10 All right. Well that's the issue that this email is concerned with?---Yes, I guess, yes.

MR POLIN: You can see the bottom of the second page that's clearly your daughter's referring to the lady ended up ringing you back, it came to a total \$3705 but if I pay cash tomorrow by 5.00pm she can make it 179. So it's clearly in relation to a debt, isn't it?---Yes, phone debt, yeah.

20 Now can I show you this document. This one just goes back ahead in time a little bit, it goes back to the 14 January, it's page 439. Do you see that?
---Yes.

This is an email dated 14 January 2009, it's from yourself to Jessica?---Yes.

Well firstly there's the email at the bottom from Jessica to you where she says, "I feel better, I told you weight lifted off my shoulders." Do you see that?---Yes.

To which your response is, "See always tell us the truth we won't bite you"?---Yes.

30 "Let's hope you're telling us the truth about the cheque"?---Yes.

You see that?---Yes.

Rather than believing your daughter now it would appear from these two emails you don't believe really anything she's telling you, you're questioning whether she's telling you the truth about all these things aren't you?---About this particular items?

40 Yeah?---Yes.

So this is about "Let's hope you're telling us the truth about the cheque." What was that, that she was receiving a cheque from somewhere?---I, I don't recall again but yes, probably yes.

But it's all related to the debts she says that she had at the time?---At that time.

So again back in January 2009 there's clear evidence that you are doubting she's telling you the truth?---Well, yes.

I tender that email, Commissioner.

THE COMMISSIONER: Yes. Exhibit 32.

10 **#EXHIBIT 32 - EMAIL FROM JOE CAMILLERI TO JESSICA
CAMILLERI DATED 14 JANUARY 2009**

MR POLIN: Now over the course of that year 2009 things seem to deteriorate in terms of her financial position, is that correct?---Yes.

And you were told that some lawyers were involved?---I believe so, yes.

Well when you say you believe so do you remember - - -?---I, I - - -

20 - - - corresponding with some lawyers?---I remember some emails that were shown to me at the compulsory hearing, yes.

Can I show you this document, it's page 458.

This is an email dated 1 December, 2009 purporting to be from a lawyer by the name of Richard Petros to yourself. Do you see that?---Yes.

As at 2009 you were a high level executive at RailCorp weren't you?---Yes.

30 Have you ever seen a lawyer write an email or a letter in similar terms to the one that you received from Mr Petros?---I didn't read many lawyers letters in my role.

It's riddled with obvious spelling mistakes to start off with, isn't it?--- Looking at it now, yes. Yes.

40 Even the language he uses, it starts off, the letter essentially starts of, "Mr Camilleri, Richard Petros here acting for your daughter." That's now how a lawyer would write a letter is it?---It's an email. I just took it as a, as an email.

Right. Written in a very colloquial kind of way and riddled with spelling mistakes and grammatical errors?---I didn't pick it up at the time.

And you see it came, the email came from an account richardp@live.com.au? ---Yes.

Didn't that email, on reading it give you some concerns?---At the time, no.

Dealing with your daughter, we've already got several emails where you've clearly indicated that you have problems believing that she was telling you the truth?---On that issue, yes.

You were asking for verification. This is the same issue isn't it?---Ah, I don't think so.

10 This is about her debts isn't it, her court case?---Yeah, I think the other one was about a particular phone bills.

Right. Well I'll come back to how the story evolved but we're talking about, it was all about - - -?---I didn't, I didn't relate them, put it that way.

Well it's all about Jessica's debts wasn't it?---Well - - -

She was coming to you saying she owed money and needed help?---Yes.

20 And you didn't believe everything she was saying?---I believe what she was telling me about this particular issue, yes.

Well, if you read that, I want to suggest to you sir that anyone reading that email would have serious doubts as to whether it's a reliable document. Do you agree or disagree with that?---Well I, in my view I thought it was genuine.

I tender that email.

30 THE COMMISSIONER: Yes. Exhibit 33.

#EXHIBIT 33 - EMAIL FROM JOE CAMILLERI TO JESSICA CAMILLERI FORWARDING EMAIL FROM RICHARD PETROS TO JOE CAMILLERI "JESSICA CAMILLERI COURT CASES" DATED 1 DECEMBER 2009

40 MR POLIN: In the email he does say that he would like to speak to you in person over the next coming weeks. Do you see that?---Yes.

You never spoke to Richard Petros did you?---No I did not.

Now, can I show you this document.

THE COMMISSIONER: While that's being shown, Mr Camilleri, did you ever email the person purporting to be Richard Petros at the email address that was provided?---I don't recall. I'm not sure. I may have. I don't recall.

MR POLIN: Now - - -?---Oh, the next one shows I did.

If you had any doubts about Mr Petros - - -?---Yes, I remember this one.

- - - back on 1 September you certainly knew there was a real problem by 4 December didn't you?---Well I was concerned about this email, yes.

10 Yeah. Because this is an email from, the bottom is the start of an email from Mr Petros to yourself is it not?---Yes.

And the email account this time, who the email is coming from is a person by the name of Richard Dipshit?---That's right, I picked that up.

At an email address rsolicitors@hotmail.com? ---Yes.

Absolutely extraordinary isn't it?---Yes.

20 And then - - -?---Well he explained it to me. Yeah, go on.

If you read the email again you would have, apart from the fact that the person sending it to you is called Richard Dipshit you'd have real concerns about the veracity of the document wouldn't you?---I did question it.

You did? And then he gave you some story about his grandson getting onto his computer and mucking around and changing the name?---Yes.

You didn't believe that did you?---I did believe it, yes.

30 What, his grandson's gone into his office and - - -?---Well he said it's his personal email and he hadn't used this email for a while.

Now in circumstances where we've shown from the emails you doubted that your daughter was telling you the truth, you were requesting - - -?---On that issue.

40 - - - documents to confirm she was telling the truth and you get an email from Richard Dipstick, Dipshit who's a solicitor. Surely you knew she was having a lend of you at this stage?---No, I challenged what he said and I got a response back that I thought was reasonable.

I tender that email.

THE COMMISSIONER: Exhibit 34.

#EXHIBIT 34 - EMAIL CHAIN BETWEEN JOE CAMILLERI AND RICHARD PETROSVENTUS "RE: COURT TODAY" DATED 4 DECEMBER 2009

THE COMMISSIONER: Sorry, when you said you challenged what was said how did you do that?---I replied back into the email.

Oh, is that what you're referring to?---Yes, yes.

10

You may want to review your surname on this email address?---Yes.

MR POLIN: Can I show you then this document. This is moving ahead to 31 March 2010. Can you see, dealing with the top email it's an email from yourself to your daughter?---Yes.

It says, "Okay, we won't hurt Penny, please let me know about the money and when I should check with St George or at least the truth", in capital letters, capital the truth. Do you see that?---Yes.

20

Clearly again in March 2010 you're indicating to your daughter that you haven't believed what she told you in the past and you're insisting that you wanted the truth from her?---That's right. And she kept telling me the same story.

And so - - -?---So I believed that story.

But why did you believe it when you, you're actually you yourself through these emails are clearly showing a pattern of at very least - - -

30

I kept testing her along the way to see if she would change her stories but she didn't she kept telling me it was the truth because it'd been going for so long.

Well you obviously during - - -?---I continued believing her.

During the course of this you obviously were doubting that she was telling you the truth that's why you're emailing her saying make sure it's the truth, tell us the truth, let's hope you're telling the truth?---That's right. I kept testing her to make sure she was telling me the truth.

40

I tender that email.

THE COMMISSIONER: Exhibit 35.

#EXHIBIT 35 - EMAIL FROM JOE CAMILLERI TO JESSICA CAMILLERI "RE: READ THIS FOR PENNY" DATED 31 MARCH 2010

MR POLIN: It's page 479.

10 THE COMMISSIONER: Did your attempts to test her for the truth simply consist of asking her if she was telling the truth? Is that the lengths to which you went to test the veracity of her account?---And I asked her for any evidence that she could give me or could I speak to anyone.

MR POLIN: Now, Mr Camilleri, take your time and tell us this started back in 2008 did it?---Roughly, yes.

You were, your daughter came to you wanting some money?---That's right.

20 Tell us starting back in 2008 what happened?---She, she came to us to say that she - - -

When she, you say came to us who's us?---Myself and my wife.

30 Yeah?---Saying that she needed money to pay some phone bills that had been racked up, they were quite excessive, um, we asked her what, what happened and then that's where she said that she had her, some people had stolen her identity, okay 100 points of identity from her and they went out and got several different phones and started racking up bills against the phones, she thought she could cover it up by paying for some of that herself and she said to us because she done that that she was now basically at fault because she started paying for the bills, she should have challenged it before she paid for the bills.

When was it that she came to you with that story?---It was 2008/9 around that period.

So someone had stolen her identity. What was it that they stole?---Oh, her signature basically and her licence to go and get a phone bill.

40 Right. So this was nothing to do with credit cards it was to do with phones?---No, that's right.

And she was telling you that they had registered or obtained - - -?---Several phones.

Several phones?---And they were using the phones and racking up bills and she was panicking, she was trying to cover the cost and then she, she come to us and said I need help to pay these out.

Okay. And what was the level of the debt?---15,000, something like that.

15,000?---Something like that.

And I take it she was showing you all these invoices in relation to all these phones?---Yes.

Did she show you those?---I've seen some invoices, yes.

10 How many invoices did you see?---I can't remember how many.

One?---No, it'd be more than one.

Two?---I can't remember honestly, it'd be several.

One, two, 20, 40, 100?---I don't remember the number, it was several, there were sheets in front of me.

20 Right. And did you look at them, did you see her name on all of them?---I saw her name at the top and the bill at the bottom.

Right. So you saw - it sounds like you saw a phone bill with her name on it and a bill at the bottom?---Yes.

It sounds like she might have just gone and got herself a mobile phone and run up a bill and not paid it?---She could of but she's told me she didn't.

30 But the amount involved was about \$15,000 you say?---Yeah, I think, I think something like that the initial one, yes.

But you say that she'd been paying it?---She'd put some money on it.

Right. Did you believe that?---Yeah, 'cause I saw that there was some money paid on it, yes.

Why, why would anyone do that?---I guess she was scared of whoever took her ID.

40 Why?---Because she was hanging around the wrong crowd at the time.

And so she thought she'd pay the bill?---Yes.

Okay. It's a \$15,000 phone bill, I take it - did you tell her that she should ring the service provider, cut off the phone, talk to them about it or is that something you did for her?---No, I did not do that at all.

Why not?---Didn't think of it at the time.

Did you tell her to do it?---No.

So what did you do?---Pay, helped her pay the bill.

Right. Did you - - -?---I told her to get, I think I said to her get rid of the phones.

10 Right. Get rid - - -?---Or try to get, try to cut out the phones, I might have said something to her like that, I, I just don't recall the whole thing at the time.

A pretty easy thing to do isn't it, if the phone's in your name you can go to the service provider and say its been taken out, it wasn't me, stop them?
---Yes.

That's an easy thing to do isn't it?---Yes, in hindsight, yes.

20 And so the only issue ever would have been the \$15,000, who had to pay for it?---Yes.

And she could have maintained well, I didn't actually register the phone, couldn't she?---She could of, yes.

She could have said to whoever the service provider was go back to your documents - - -?---She was scared of the people that took, that did it to her.

30 And you could say if you look at the documents the signature you'll have on them's not my signature, it's a forgery therefore I'm not going to pay it?---
She could of, yes.

Or she could have said, okay, I'll pay the \$15,000, the story's over?---That's right, that's what we thought.

Right. So did you pay the \$15,000?---I think I did, yes.

The story is then over?---Well, we thought it was over.

Well, what, what then happened?---That particular part was over, yes.

40 Right. So you've given her \$15,000 on the basis of this story and as far as you were concerned it was over 'cause the bill had been paid?---That's right.

What then happened?---Then, then she started getting mail that's, the phone companies were still chasing for more phone bills so there's more phones involved and then when we challenged her on that she said that, that's where she said that her ID had been stolen, that um, they'd got 100 points and there was this gang or something that took her ID away from her and

several other people and they've been fighting some sort of court case, that's when the court case started to raise its head.

And did you say to her at that point in time listen, we should let the police know?---Yes, I did.

Right. And so you reported it to the police?---No, I did not.

10 Why not?---Because she told me that it's already under control and there's no need to involve the police and these are dangerous people so stay out of it.

It doesn't sound as though it was under control?---In hindsight, no.

Well, even at the time you said that there was a - - -?---Well, we, we thought it was or I thought it was, yes.

20 - - - court case going. So you pay the \$15,000 but she said she found out there were more phones?---Yes.

With the same service providers or - - -?---No.

- - - who was the, who was the - - -?---Oh, I think it was both Optus and Telstra - - -

Right?--- - - - at the time and even Vodafone may have been involved.

30 And when you paid the \$15,000 I take it you went to them and said - - -? ---No, I didn't.

- - - you told them what had happened?---No.

You told them that these phones had been registered in her name without her knowledge?---No.

Why not?---I didn't - - -

40 Do you regularly go around paying \$15,000 - - -?---Oh no, just that the way she put it - - -

If you let me finish?--- - - - across to us she was quite frightened. She said, "Can we just let this go away." So we thought we'd do that.

Do you regularly pay \$15,000 phone bills - - -?---No I don't.

- - - for people you don't know?---No. No.

You didn't think to tell the police about that at that time?---No.

And more phones she's telling you are coming in?---Yep.

This sounds totally unbelievable at this early point in time?---Okay.

Do you agree?---At the time for me it wasn't, no.

10 And even more so for you because you were being told by your daughter who quite clearly from the documents tendered already you were having troubles believing?---No, I believed my daughter.

But you do agree that on the face of it it sounds quite an unbelievable story?---In hindsight, yes.

Even at the time?---At the time it did not, no.

So you said there were more phones and there was a court case?---Yes.

20 What was the court case?---I, what was the court case? It was about her, her identity being taken, her and several other people's identity being taken away and people were using their identity to purchase things in Australia and overseas.

Now Mr Camilleri, again you're a high level executive at RailCorp. How on earth does anyone do that?---Well at the time I think there was articles in the paper of those things happening.

30 Saying what?---That people, that people's ID had been stolen and they were purchasing houses overseas et cetera.

Purchasing houses - - -?---Yes.

- - - overseas?---Yes. There was articles about it at the time.

How do you go and steal someone's identity and purchase a house?---I don't know, I'm not a fraudulent person.

40 But - - -?---I guess somebody who knows how to do that can do it once they've got - - -

THE COMMISSIONER: Mr Camilleri - - -

MR POLIN: Just have a think about - - -

THE COMMISSIONER: Mr Camilleri, two things. Can you please let Counsel Assisting finish the question before you commence the answer. If you're talking over the top of each other we can't accurately record what

you're saying. And could you please speak up so that we can hear you in the, in the hearing room. Yes, Mr Polin.

MR POLIN: Can you think about it now and think logically. How does someone steal someone's identity and go and buy a house in their name overseas?---I don't know how they can.

Normally - - -?---But I, I, I have read articles where it's happened.

10 Normally for example when you buy a house you need some money to buy the house?---That's right.

Yep. Well, where would they get the money from?---I don't know who did it and what their means were. I would suggest they probably had the money and means to do that.

Well if they had the money why would they buy a house in your daughter's name?---To, to get more assets I gather.

20 Well if they had the money, they had let's say half a million dollars and they, in America and they go and buy a house for half a million dollars why logically would they put that house into your daughter's name?---I don't know.

That would appear on the face of it that they have gifted your daughter half a million dollars?---I don't know.

She could then go and sell the house and pocket the half a million dollars couldn't she?---I guess she could of if she knew about it.

30 Can't you see that this story that you are being told was absolute nonsense?--When you put it in that light it doesn't sound feasible but at the time I just saw articles about things happening overseas, that people can buy purchases, properties under other people's names and people don't know about it so I just gathered that she got involved in the wrong crowd and they, they've done that to her.

40 How is today's light any different from the light back then, what, what makes it any different considering the position back then to considering it today?---Because I was immersed in it at the time with a lot of emotions going on so I probably wasn't thinking as clearly as I am now.

Well you don't even have to think clearly to know that it just seems a ridiculous proposition to suggest that someone else was buying property in America in her name and that was somehow causing her some problem?---I can't, I can't answer it. At the time I believed her story.

At the time you were in charge of billion dollar contracts at RailCorp weren't you?---Yes.

You weren't the local grocer down on the corner store were you?---No.

You were someone in charge of billion dollar contracts. And you'd been doing that for many, many years hadn't you?---Yes.

10 How on any view of it could you have believed the stories you were being told?---I guess when family's involved you tend to look at things differently.

Why?---Well, I did.

Well, you looked at it differently because you didn't actually believe your daughter initially and you were really questioning her weren't you?---On that issue, yes.

20 In any event so the story went on. She was involved in a case. You had no specifics of it I take it?---No.

Did you ever try and go and get specifics of it?---I tried through her to get it, yes.

Did you ever try through any other means - - -?---No.

- - - to get it?---No.

30 Why not?---Because she said it was a close court case and you won't find anything.

That's what she said to you?---Yes.

This is the person who you were always demanding the truth from, did you ever go yourself and try and find out?---No.

Again why not?---I believed my daughter.

40 And so at what point of time are we at that this was the story, there was a case generally about stolen identity?---I guess around 2011 around that period.

And had you given her money at that stage?---Yes, my own personal funds, yes.

Right. Why had you given her money?---To help her pay for her legal costs.

Right. When in 2011 are we talking about, early or late?---Oh, I, I can't recall, probably from the commencement of 2011.

As at the commencement of 2011 how much money had you given her to pay legal costs?---Probably over \$1 million.

You'd given her this is from your own personal money over \$1 million to fund a legal case of which you knew nothing?---Yes.

10 But was about someone originally registering some mobile phones in her name?---Yeah, that's what started this.

And then turned into someone purchasing a property in America in her name?---I don't know if it's in America but overseas I was told.

Overseas?---Yeah.

20 And as that \$1 million changed hands you didn't once think I need to go and perform some of my own investigations to check whether this is all correct?---That's right.

Had you ever funded a legal case before?---No.

You would be aware wouldn't you from just the work you've done at RailCorp that \$1 million is an incredibly large amount of legal fees wouldn't you?---Yes, it is.

Did you ever ask her why?---Why is what sense?

30 It's costing her \$1 million to fight this non descript case?---She kept claiming that she needed high class barristers to help her do that and they were charging \$10,000 a day or more.

Well that's a lot, a lot of days isn't it to get up to \$1 million?---Yeah, well it's been going quite some time by then.

Right.

40 THE COMMISSIONER: Mr Camilleri, I understood you to say that this was a legal case that involved other people as well. So wouldn't the legal costs have been shared?---You would think so, yes.

So are you saying that only her share was \$1 million?---That's what I put in and I understand that, yes.

Did she ever tell you where this court case was being held?---No.

Did you ever ask?---No, I don't think I did I just assumed - - -

Did you ever suggest that you could go to the court case with her to see what was going on - - -?---I did, I did ask, I did ask.

And what did she say?---She said no, not to attend.

I beg your pardon?---She didn't want me to attend.

Well whether she wanted you to attend or not why didn't you go with her?
10 ---Because I didn't know where to go, I didn't know - - -

Well you could have arranged to meet her on the corner of Park and Castlereagh Street and then progressed from there to wherever it was?
---Yeah, but she insisted that I didn't go.

And you just accepted that at face value?---Unfortunately, yes.

Are you seriously telling this Commission the truth?---Yes, I am.

20 MR POLIN: By early 2011 you'd received emails hadn't you about various amounts of money being paid to Jessica as a result of this case or were there many, many cases?---No, no, she said that resulting from the case 'cause I wanted to know how I was going to get my money back she said that there'll be funds coming back from the case.

So you're saying as at early 2011 there hadn't been any sort of determination about the case?---Not that I'm aware of.

Well about the email you got from Richard Petros in December 2009
30 saying, "Mediation today went well, we've settled and they wear paid", I assume that means "They were paid \$14,000. They are now happy and will proceed with your compensation money of 35,000 plus 40,000. You are also getting back 9000 as we did not use another barista and lawyer just myself. One of their lawyers and a judge. Jessica also passed on the \$14,000 in Bankstown Court." What's that all about?---Whatever that issue was at the time.

Well, that's the court case isn't it?---A court case, yeah.

40 Well how many court cases were there?---I'm not sure. There was one on the phones and then there was about the fraud identity.

But the one on the phones I thought you said that was the \$15,000 and that, you paid that. That wasn't a court case?---Yeah, but then I also said that there were other phones later on which generated this court case.

Right. Well I take it you were going to pay them as well?---No.

Well what were you going to do with those?---Well she was fighting - - -

But - - -?---My understanding was that she was fighting them.

How would she be getting money back out of the court case as I take it that court case would be Optus or Vodafone suing her for the debt, the account that was racked up?---That's right and she reckons she sued them back for defamation or something like that.

10 Sued them for defamation?---Ah hmm. That's what she told me.

How would she be suing a mobile phone company for defamation?---I don't know. I took it on face value.

Really, I mean you must have thought about this at the time and realised - - - ?---No, I wasn't - - -

- - - what rubbish this was?---No. I did not.

20 THE COMMISSIONER: Mr Camilleri, what do you understand is meant by suing someone in defamation?---That they wrongly accused her of racking up the bills and chasing her for the money.

Well no, doesn't there - - -?---Harassing her for the money.

Doesn't there have to be some publication of some defamatory material? You understood that in your role at RailCorp didn't you, you understood what defamation was about?---Yes, but I never ever came across it so I - - -

30 But you would have read in the newspaper, there are weekly reports about defamation proceedings that are taken against newspapers for publishing defamatory material about people that turns out to be false. You understood that didn't you?---Yes.

Well in what way could a phone company have published material about your daughter that was false?---I don't know.

40 MR POLIN: In any, at any time up to early 2011 when you'd handed over \$1 million did you ever think to go and run this by your own lawyer?---No, I don't have a lawyer.

You'd been speaking to Mr Petros. You understand there are lawyers all over the place in Sydney don't you?---Yes.

You understand don't you that in fact RailCorp have a whole panel of lawyers?---Yes.

You had lots of people at RailCorp you could have gone to to ask some advice about getting a lawyer?---Yes.

You've bought your house before haven't you?---Yes.

You went and saw a lawyer?---I didn't see lawyers, conveyancer.

Conveyancer. You went and extended the mortgage on your house. Did you go and see a lawyer?---No. It was done through a broker.

10

But you're aware aren't there, what - - -?---I know there's lawyers around. No, I did not go and ask a lawyer.

Even in the suburb you live in I take it there are lawyers down at the local shops. You could have gone and - - -?---I could of, yes.

But you chose to let \$1 million go without even letting it run past a lawyer?--Yes.

20

We'll keep going through with the story but is it still your evidence that you steadfastly believed the stories your daughter was telling you right up until the time of the compulsory examinations or thereabouts?---Yes, I believed. I challenged it but I believed it.

And that is about mid December last year?---Yes.

So that's still your evidence that that, right up until that point you steadfastly believed what she was telling you?---I believed her but I challenged her on many occasions and then I, I went back to believing her.

30

Okay. So we've got the mobile phone case. So that's the mobile phone company suing for the debt racked up on the phone. And Jessica counter suing someone in defamation?---Yeah.

There's that case?---Yeah, something like that, yes.

And there's a case involving, and it was Mr Petros who was dealing with that case?---Not originally. It was some other lawyer involved originally.

40

And who, did Mr Petros then deal with that case?---I can't remember. There was so many change of lawyers during the process that I don't remember what Mr Petros was looking after at the time.

And then there was the case involving the stolen identity and purchasing property overseas?---Yeah.

And who was the lawyer looking after that case?---I think, it eventually was Mr Petros again um, I can't remember the name of the lawyers.

And so there are just the two cases?---I, I don't know, I'm confused how many cases there was to be honest, I think they're, those, those two are in my mind at the moment, yes, unless you bring something up that I've forgotten.

I don't want to be confusing you, that doesn't appear that confusing though does it?---No, but they're, they're the two I'm aware of at the moment, yes.

10 Well - - -?---I don't, I can't recall any other one at the moment.

Well, take a moment and think about it, were there any other cases going on at the time?---No, one, one was around the phone and then it went into fraud identity and that's, that's the one I was aware of.

And in terms of these two cases were they resolved, come to conclusion at a particular point in time?---They were supposed to, yes.

20 No, did they?---Well, she told me they did.

Okay. She, when did she tell you that either or both of them had resolved or come to an end?---I can't remember.

2011?---I can't remember, I don't recall?

2012?---I don't recall.

30 Well, you put \$1 million into it, by the beginning of 2011 weren't you wondering when your money would come back?---Yeah, well, then the rest of it was about chasing the money.

I understand that but surely you would recall the day the case came to an end or you were told it came to an end?---I don't recall.

40 How were you told that firstly the mobile phone case came to an end, what was - - -?---Oh, I can't, I can't remember she, she said that, that it was finished and there should be some moneys coming back from, from that and then it got involved with this other case that it linked to it so nothing was going to get released unless we spent more money on it.

So the mobile phone case involving Optus and Vodafone - - -?---Yeah.

- - - got somehow linked to the case involving purchase of property overseas?---With the identity fraud, not - - -

How could that happen?---I don't know.

Well, were you asking her?---Yeah, she just said its all linked to the identity fraud.

I know she's saying that but you weren't believing that were you?---I was believing it.

Why?---'Cause I believed my daughter.

10 But, sir, I'll go back to again, we've got the emails to show you were someone who actually didn't believe your daughter?---No, on that issue I challenged her when she, when she - - -

What's the - it's the same issue, it's about the mobile phones that you're saying tell us the truth, let's hope you're telling the truth about the cheque? ---That's right, yes, that's right.

Clearly you're not believing her?---Well, it's, it's a comment, tell me the truth, I'm always asking her tell me the truth and she keeps saying she was.

20 No, sir, you agreed with me when I put those emails to you that you were saying that because you were doubting at that point in time she was telling the truth?---She - probably something came up to show that she wasn't telling me the truth so I said what's going on here.

Exactly. And so when you were receiving these incredible stories which didn't really make any sense you must have been thinking this is not the truth, she's telling me another lie?---No, no.

30 So - well, what happened with these cases?---I don't know where, where they've ended up. I was still trying to get the money and they probably don't exist now.

You've put in, you'd put in \$1 million of your own money up until the beginning of 2011, you've put in probably from family another \$1 million or so?---Oh, not a million but - - -

Well, how much in total have you put in, over four million?---Well, I think it's around four million when you look at it all.

40 Yeah. On these court cases?---Yeah.

Where on earth did you think it had gone?---I don't know, I honestly believed that's where it went.

\$4 million?---Over the four year period.

Do you have a gambling problem?---No, I do not.

Were you involved with your daughter in somehow using all this money?
---No, I wasn't.

So there was nothing in it for you?---Not a thing, I have nothing left.

I know you've got nothing left but at any time during the course of this were you involved with her in gambling the money?---No.

10 Did you decide at some point in time that the only way to get back to where you were was to join in with what she was doing - - -?---No.

- - - and gamble the money?---No.

See, sir, there must have come a point in time where these stories were so ridiculous that you could not possibly have ever believed them?---No.

Do you understand that?---I understand what you're saying but that's not what I believed.

20 You're saying that at that point in time was when someone from ICAC made suggestions to you that your daughter had a gambling problem?---Yes.

Why did that suddenly change you, change your opinion about whether your daughter was telling you the truth back in December last year?---She actually told me prior, a few weeks before that some of the money went to gambling, she said some of the money. Like the earlier part like my stuff.

30 So up until then you still stand fast in maintain that you believed everything?---Yes.

In terms of the story even when I ask you now you're able to give me virtually nothing in terms of the specifics?---That's right.

You've pumped \$4 million into the story?---Yes.

You're unable to tell me when either of these cases were resolved?---That's right.

40 You aren't able to tell me how they were resolved?---That's right.

Don't you find that totally unbelievable?---In hindsight, yeah, I'm quite embarrassed about it, yes.

Well not in hindsight, at the time you've given \$4 million did you find it's - - -?---Because I was under a lot, I was under a lot of stress and pressure and to me it just seemed logical every time she asked for the money why she needed it so I, I gave her the money or found the money for it.

How could it be logical that every couple of days she's coming back wanting more money, how could, how could it ever have been logical to you?---Well at the time it was.

So were you ever going to get anything out of this?---That wasn't the issue the issue was I needed to help my daughter and she told me that there was money coming back that would cover my cost and then she showed me those, those letters the amounts and whatever and I said well that's fine I don't really care I need to pay people back.

10

But you know that I've asked you about whether you've somehow been involved at some point in time and you, you say you weren't?---Involved in?

In spending the money using the money trying to - - -?---Yes.

- - - get more money back?---Yeah.

20 You say that all you wanted was to get back the money that you say you'd lent your daughter to pay legal fees and the like?---And the people I borrowed money from.

Yes?---Yes.

Excuse me for a moment. So is that the truth of the matter, sir, that all you ever wanted to do was get the money that you'd lent her back and the money that others had lent you back?---That's right. And if there was any extra benefit fantastic but that was the main intention of it.

30 What do you mean if there's any extra benefit fantastic?---Well she was claiming there was all this sort of money coming back but that wasn't why I helped her out and what I wanted back.

Well if you have a look at this email at page 763 the 4 January 2013, if you look at the email in the middle of the page it's an email from yourself to your daughter dated 4 January. You see that?---Yes.

40 "Did you find where the \$5 million for me is at"?---That's right. 'Cause she claimed that she was going to give me 5 million.

So you're part of this were you, suddenly you're - - -?---No, I wasn't part of it she said that that's what she was going to give me I said I didn't want anything I just wanted the money back to paid people.

When you say you didn't want anything your, this is an email from - - -?
---Yeah.

- - - you to her asking where your 5 million is?---Yeah, because if, because that's just a sentence but what's behind a sentence is that she said that there was 5 million released back to you and I said fine.

Well but you never put 5 million into it?---No.

This is what, some sort of windfall you're getting is it?---She said that she was going to get extra out of it and if, she was probably thanking me for it.

10 Doesn't this show that at that time you clearly knew what was going on and you were part of it all?---No, I did not know what was going on. What I understood that there was a legal case going on, she was going to get some windfall out of that legal case, she said it would cover my cost, okay and there'd be and obviously if there's any extra I'll help you out as well.

And so - - -?---I said, "That's up to you."

20 You put all this money into this legal case that you're told she'd get a windfall and you had no specifics about what the legal case involved, when it was resolved, what happened to it? You had no regard at all for what was going on?---I did have regard but I couldn't get to the bottom of it.

I tender that email.

THE COMMISSIONER: Exhibit 36.

#EXHIBIT 36 - EMAIL FROM JOE CAMILLERI TO JESSICA CAMILLERI DATED 4 JANUARY 2013

30

MR POLIN: And I tender page 473 as well.

THE COMMISSIONER: That hasn't yet been handed up.

MR POLIN: No, I'll come back to that. Yeah.

40 THE COMMISSIONER: So we'll just mark page 763 Exhibit 36. Mr Camilleri, when you said at the time you were under a lot of stress and pressure what was the cause of the stress and the pressure?---It was work and having the debt. I've never be indebted before and that, that put pressure on me.

So work was one part of it?---Yes. And the other was the amount of money I spent, it was stressing me out, the amount of debt that I was involved in. It was all a combination of it.

Well, let's just take that one step at a time. You'd been working at RailCorp for a very long time in a very senior position?---Yes.

There wasn't anything particularly stressful about that was there?---Ah, at the time there was a reform happening, at the later part of it.

10 Right. Well then in terms of the money that you were providing, the indebtedness that you were acquiring, if that was the cause of the stress there was a very simple solution was there not and that was to stop providing the money?---That's right, but then I had no means of paying it back if she didn't win her case, or had little means of paying it back. It would take a lot longer. So that, that put stress on me.

But a moment ago you said that you'd never been indebted before. You didn't start borrowing money from people at RailCorp until you had exhausted all of your own funds, including your long service leave and some of your pay in advance?---That's right.

20 Well, you said that you were under a lot of stress because of indebtedness. That was before you started borrowing money from other people?---I was in stress all the way along because I, you know, I borrowed money plus I was using my monthly pay to go towards it as well so I was falling behind paying my mortgage et cetera. So, you know, it was all stress, stress of work, the combination.

30 All right, well I return to my question. Before you started borrowing money from people at RailCorp a very, very simple way of if not relieving at least minimising that stress would have been to stop providing the money?---In hindsight, yes. But at the time - - -

When you say in hindsight did it not - - -?---Well at the time - - -

- - - occur - - -?---At the time, sorry.

- - - did it not occur to you to say to Jessica, "I cannot provide you with any more money"?---I did say that but she was persistent on it and I gave in.

40 And so for as long as she kept asking you for money you were going to provide it no matter how much it cost?---It eventuated that way, yes.

MR POLIN: Sir, what I want to suggest to you is this, that at very least there came a point in time where you didn't believe these stories and that was well before December, 2013. Do you understand that?---I didn't - - -

That's what I want to suggest to you. You're telling me that I'm incorrect?---I'm telling you that I, I challenged it as I went along.

Yep?---But I believed, I ended up believing her each time.

And I want to take you through various matters where you say you challenged her and I want to suggest to you that on challenging her you were provided with information which was clearly not truthful?---Well, I don't know what information you're talking about.

I'll come to it. I just want to suggest this in a general sense first. I want to suggest that it was clear that you were provided with documents that on the face of them were fabricated?---Any document I saw I believed was true.

10

And I want to suggest that any person looking at the documents, and indeed people looking at the documents did believe they were fabricated, and that that would have been your belief at the time as well?---No it wasn't.

And I want to suggest to you that notwithstanding that you then went on to continue borrowing money from people using what you then knew to be a fabricated story to continue to get money, do you understand that?---I don't, that's not true.

20 Right. Well, let's start with the evidence of your sister. You were in court and you heard that yesterday didn't you?---Yes.

She's accepted for her part that that was what occurred, you recall her saying that?---Yes, I did.

She said that as of May 2012 you provided her with some documents?
---Yes.

30 She accepted clearly on the face of the documents they were not true and were fabricated, she said that didn't she?---That's right.

And she accepted that notwithstanding that she continued to borrow money on your behalf from people continuing to maintain the fabricated story?
---That's right.

So you can sit here in this room and hear, hear your sister give that evidence yet you, being the person who actually originally got the documents, don't accept that?---That's right.

40 Is there any reason why she might be able to see that and you can't, is she somehow more intelligent than you, she's - - -?---More than likely, yes.

Or is it the case that you're simply not telling the truth?---No, I am telling the truth, I believed the documents that were tabled to me.

Yeah. And you're just going to sit there and continue to say that right to the very end?---Because it's the truth.

Okay. Let's look at some of the documents. You were told by your daughter that there was this big cloud of secrecy about all of this weren't you?---That's right.

That would have made you suspicious, wouldn't you, wouldn't it?---Not really.

You were told that ASIO was involved?---That's right.

10 That would have made you suspicious, wouldn't it?---Not really when she tried to link it to the international fraud so I thought that sounded reasonable at the time.

Had you ever in your life been involved with ASIO?---No, I hadn't.

Right. Can I show you this document. This, this is a document your daughter showed you, wasn't it - - -?---Yes.

- - - about ASIO?---Yes.

20

As soon as you looked at this document, Mr Camilleri, you would thought this is a fake?---I didn't 'cause I was more concerned about the content rather than the structure of the letter.

Well, it's the structure of the letter that you'd first look to to work out whether it's a fake?---Oh, I didn't do that.

Sir, you're involved or were involved with signing multi-billion contracts weren't you?---That's right.

30

You were involved with the administration of multi-billion dollar contracts every day?---That's right.

A lot of your work at the time was involving contract and other documentation wasn't it?---Yes.

You would have seen documents, formal documents every day of the week wouldn't you?---Not every day but I've seen them regularly, yes.

40

You would have seen RailCorp documents, you would have seen documents from RailCorp contractors?---Yes.

That's what your job was, was dealing with all these documents wasn't it? ---Not really, no, I dealt with very little with documents.

You would have seen them and dealt with them I thought you said every day of the week?---I've seen them but, yeah, but they would normally go through our legal department before they come through us.

But what I'm suggesting to you is you're not a person who is unfamiliar with legal and formal documents?---That's right.

And being a person who is familiar with legal and formal documents you would have looked at this document supposedly from ASIO and thought that's a fake?---No, I did not think it was a fake.

10 Well, the first thing in terms of the structure of it, there's no letterhead to it is there?---No, I just looked at it about ASIO, that's - - -

It looks as though someone has just copied something from a computer about ASIO and pasted it on the top of a piece of paper?---Yeah.

That's what it looks like doesn't it?---You're pointing that out, yes, it can look like that, yes.

20 Well, when you say can look like that that's - - -?---Well, to me I believed it was an original document.

You never saw an original document?---Not an original, a copy of an original document.

Yeah, why would it be anything other than an ASIO logo for want of a better word cut and paste onto a piece of paper?---(No Audible Reply)

Mmm?---Yeah, yeah. I - - -

30 Yep. Did you, having seen this did you then go onto the ASIO website to go and see if - - -?---No I did not, no.

And if you went onto the ASIO website you would have seen that this particular block section has just been copied from the top of the website? ---Well I didn't go and look.

The letter doesn't have any date on it?---No, I noticed that.

When was it given to you?---I can't recall.

40 The letter becomes sort of meaningless without a date doesn't it?---It's got dates within the letter, yes, but I - - -

Yeah?---There is no date, you're right. I didn't pick that up.

When you read the letter firstly the English again is clearly poor isn't it? ---Well, not really. Seems fine to me.

You didn't write it did you?---No I did not write it.

Right. No, so the style of it is how you would write it is it?---No, that's not how I'd write it.

You say it's - - -?---I just said it seems fine to me.

It refers to, this is the mobile phone companies. Do you see that?---Yes.

10 There's nothing about any sort of defamation case in it is there?---No.

And it talked about getting ASIO clearance and approval in relation to two phases of operation Sole Communications or something. Do you see that?--
-Sorry, where are you reading that?

It's the second paragraph. "We're currently waiting on phase 2 of Sole Communications," to complete their paperwork?---Yes.

20 They've received paperwork for Sole Communication on Friday from your lawyer and it suggests that it's enabled them to free up Jessica's Westpac account?---Yep.

In the amount of \$175,000?---Yep.

As at 19, as at 19-21 May, 2010?---Yes.

What does that mean?---Well they're going to free up some money between that period.

30 That doesn't, that's not what people say is it?---No.

ASIO's going to free up money in a period and give a range of dates, do they?---(No Audible Reply)

And it - - -?---I wouldn't think so, no.

And of course it doesn't make any sense when the letter's not dated?---(No Audible Reply)

40 Well, however you read it it's suggested there's 175,000 going to be in Jessica's account in May, 2010?---Yes.

Did that happen?---No. Not that I'm aware of. I didn't see any of it if it did happen.

So I take it you got shown this letter around about this time?---Would have been.

And you've been told, "Don't worry, the monies going to be in my account 19-21 May, 2010"?---Yes.

Right. And it didn't end up in her account?---That's right, well - - -

And you were given some story?---Yeah. Well I'm not sure if it did or didn't but I didn't see any of it.

10 The it says, "Any questions or queries please contact your accounts manager," and it gives the phone number?---Yep.

Why would ASIO be telling, I assume that's the bank manager, why would ASIO be giving your daughter, telling your daughter to contact her bank account manager and giving the bank's phone number?---I don't know.

Right. But in any event I suppose it was a bit of lead for you that you could have followed up at the time?---Yeah, I guess but I never did.

20 When the money didn't go into the account the first thing you'd do is ring the account manager on the phone number there, and you've got the account number and find out where on earth the money was?---Yep.

Because ASIO's cleared it?---Yep.

Yep. And so what happened when you rang?---I, I said I didn't ring.

Why not?---I didn't even think of it.

30 And that's because you didn't believe it did you, that was just a fake?---No, it's not I didn't believe it. Because probably the story went to something else so this was forgotten and we moved on.

THE COMMISSIONER: Mr Camilleri, just before we leave this part of the letter do you see at the end of the first paragraph the sentence commencing, "Telstra, Optus, Virgin, 3G Australia, and Vodafone - - -?---Yes.

40 - - - have all signed an agreement stating you are of completion with there, t-h-e-r-e companies." Have you ever seen any kind of official letter written in language like that?---No.

Would you ever have allowed a letter from RailCorp to go out to anyone using language like that?---No.

Do you think that there is something strange about the director general of security signing a letter to that effect?---Now it's been pointed out to me, yes.

Well you said a moment ago that when you were provided with that letter you looked at it and it seemed all right to you?---Yes, 'cause I, yeah, I didn't read it in full detail but yeah, it seemed fine I just was more concerned about
- - -

Well what part of it didn't you read?---Well I guess I didn't pick that up.

MR POLIN: Now as well even if you just skimmed through it there's no doubt just looking at it and forget all the poor English it's been told there's
10 money going to be in the Commonwealth Bank account on 1 June and there's a 175,000 going into a Westpac account on the, between 19 and 21 May?---Yes.

Do you see that?---Yes.

Well why two amounts going into two separate bank accounts?---I don't know what arrangements Jessica's made with the payments. She has a Commonwealth account and she has a Westpac account.

20 Well is it the case that you didn't care less?---Yes, I didn't care less I didn't question it.

But you're funding this, you're, on your version you're the litigation funder, you've got \$1 million at stake on this - - -?---Yeah.

- - - and another piece of litigation and you didn't have any regard for where the money was going?---I did have regard to where the money was going and I was being told by my daughter that it was all under control and I believed her.

30 Right. But within a week or so of this letter it clearly wasn't all under control - - -?---Yeah.

- - - and you could not have believed her?---I did believe what she told me next, yes.

Well what was it that she told you after she'd given you the ASIO story?---That there was more problems and she needed more money.

40 What was the problem? There doesn't appear to be a problem in terms of - - -?---No, it didn't - - -

- - - what ASIO thinks?---It didn't, she just said that she - I can't even recall what she said what happened with that 175,000 but all I know is it just kept, the story kept going on that she needed more money to pay for more fees more legals and I - - -

Can you be any more specific than that?---I cannot unfortunately I cannot.

So from mid 2010 through to early 2013 what have we got, we're getting onto nearly three years?---Yeah.

She just kept coming back to you saying I need more money?---That's right.

And you gave her more money?---That's right.

10 I need more money and you gave her more money?---She gave me reasons why, well the reasons were for the legal and she was very convincing at the time.

So she said I need more money for legal fees - - -?---Yes.

- - - and you gave her more money?---Yes.

She then said I need more money for legal fees?---And bank fees, and legal fees.

20 And bank fees and you gave more money?---Yes.

She'd come back, I need more money for legal fees and bank fees and you gave her the money?---Yes.

And from early 2011 through to early 2013 you gave her another \$3 million on I need more legal, money for legal fees?---Yes.

I need more money for bank fees?---Yes.

30 And that's all you were ever told?---Basically yes, and occasionally I got those emails come through or a text message saying that this is from Petros whatever his name was.

Do you expect a single person to believe that, Mr Camilleri?---Well it was the truth.

40 How on earth could it be the truth? That a logical sensible person who had a high level position at RailCorp would advance a further \$3 million just on his daughter's say so, her say so that she just needed more money for legal fees and bank charges?---Yes, and that's what I did.

I tender that page 486.

THE COMMISSIONER: Exhibit 37.

**#EXHIBIT 37 - LETTER WITH "ABOUT ASIO" LOGO
ADDRESSED TO JESSICA CAMILLERI**

MR POLIN: Might the witness be shown Exhibit 30?---Thank you.

So now we've jumped ahead from the ASIO letter which is, it would appear mid 2010, your daughter was getting 175,000 back in one account and another amount in another account?---Yes.

10 By May 2012 you'd got your sister to borrow money from people at her work as well hadn't you?---Yeah, I asked my sister to help me, yes.

And you asked your sister to help get money from people at her work too, didn't you?---I, I asked she, is there anyone that she could, she knew that could help us.

At her work?---I don't know if I said at her work.

20 You knew that she was getting money - - -?---I knew, I - - -
- - - from people at her work?---Eventually I knew, yeah.

And you said to her are there other people at your work you can get some money from?---I don't know if I said those words.

You were actively encouraging her weren't you to borrow money from people at her work?---I asked was there anyone else that she could borrow from.

30 Now she had doubts about the whole story didn't she?---So I heard yesterday, yes.

Well, she had doubts back before May 2012 didn't she?---She never relayed those doubts to me.

She asked you for some proof that the story was true didn't she?---I can't - I don't know if she asked me for proof but she said what's going on.

40 Why on earth did you then send her that email of 9 May, 2012?---Which one, this one here?

Yeah?---Yeah, well, she said what's going on and I said well, this is the only thing I had at the time that gave her some, hopefully gave her some comfort that there was money coming back.

Right. So what this appears to be when you look at it is the copy of an email that has come from the National Australia Bank, you see that?---Yes.

Its been copied by your daughter and sent to you?---Yes.

Do you see that?---Yes.

And you have then on-sent the email from your daughter to your sister?
---That's right.

So at some point in time you received that email from your daughter?
---That's right.

10 And I take that is because you were asking her for proof were you not that her story was real?---Again I challenged her all the way along can you give us some evidence to, so I can show people that we are, this is true.

Okay. So we've got the mobile phone case, we've got the foreign property purchase case?---Yeah.

Then we move through to mid-2010, ASIO's clearing 175,000 in a Westpac account?---Yes.

20 And some other money in a Commonwealth account?---Yes.

And that money's coming from Telstra, Optus, Virgin, 3G and Vodafone, you see that?---Yes.

What on earth was this email about?---This was about, she said that she got a, she claimed that she got an inheritance from a person and there was money in a cashbox but again that was linked to this whole thing that she couldn't access it unless she could get some funds.

30 I did ask you to - early on I thought I gave you an opportunity to tell the whole story that you were told but it seems as though we're getting it out in dribs and drabs?---Oh, I had, I forgot a - - -

So at some point in time she told you she had got an inheritance?---Yes.

When was that?---I don't know, it would have been before this email.

40 Right. Who, who was the inheritance from?---She said from a friend of hers, I don't know the person. She didn't mention the person, she just told me a person. I don't know them.

That sounds quit extraordinary?---Well, she told me at the time that she knew the, the um, knew, knew some person, this, this, this guy that he died and his parents, she, she was very close to him, she looked after him 'cause she's got quite a kind heart my daughter and they looked after her by giving us this, that's what she told me.

So, so who, who was the person, there as a guy that she was looking after?

---I don't know, she didn't tell me who it was.

She was living with you at the time wasn't she?---Ah, she was married three years, I don't know if she was living with me at this time.

But your daughter's someone that used to, you used to interact with regularly didn't you?---Yes.

Certainly at this time?---Yes.

10

Nearly a daily basis?---Yes.

You would have known if she was looking after some guy wouldn't you?
---No.

You wouldn't?---No.

Did it shock you that she gave you this story, that she'd been looking after some buy who died?---No.

20

So this, this email had nothing to do at all with any of the cases?---This email, no, no, the email didn't but this was just something to say that she had some funds available to her that she'd be able to pay back and also continue paying for the fees that she required.

So she was telling you that this, this chap that she had been looking after had died?---Yeah, or a friend of hers or something who'd died.

30 Oh a friend of hers, goodness me, she's only, she was on 23 at the time wasn't she?---Yes, 22 or so.

Was sort of friend, is it a 23 year old friend that died?---I don't know.

Didn't you ask her?---No.

So she said she'd come into this windfall inheritance and you didn't ask a single question as to who the person was that had - - -?---I did but she didn't tell me.

40 But didn't you say, "Well, I want to know"?---Yeah, but she's an adult. She said, "I'm not telling you."

She said to you, "I'm not telling you"?---She said, she said, "You don't need to know."

Does that sound really suspicious?

THE COMMISSIONER: Mr Camilleri, I'm just curious when was it that your daughter was living with you?---She'd been married three years so, June, in June so what's that, that's three years off where we are today.

So she was living with you up to June, 2010?

MR POLIN: '11?---'11.

THE COMMISSIONER: '11?---'11, '12, '13, '14, yeah.

10

Or at least, at least up until June, 2010?---Yes.

And she was part of your household?---She, she slept there.

Did he have meals there?---Occasionally, yes.

She went to work from your home and came home from work?---Yes.

20

You had conversations around the dinner table?---When we sat together, yes. Quite often the kids come at different times.

And not once did she say that she was looking after someone who was ill and she needed to go out?---No.

Did you know anything at all about her life or who she kept company with?---Not, not as much as, no.

30

Nothing?---Not, not, no. I didn't know much about her life except for work and friends. I knew a couple of her friends, that was it.

MR POLIN: So she came to you at this point in time and said, "Stroke of good luck, I've inherited some money from this person that I used to look after"?---Yes.

So that must have made you happy?---Well I was relieved. Happy, relieved, whatever the word you want to use.

Well it's a bit of a windfall isn't it?---For her, yes.

40

Yeah. You didn't believe it did you?---Yes I did.

And so what, you asked her for some email to confirm this inheritance?---I asked her to give me an email to show people that we've got, you've got some money coming in.

Right?---And this is what she sent me.

And this, this email's got nothing to do with an inheritance does it?---No. Well, that's what she told me it was.

Well, as soon as you started reading it you knew immediately it had nothing to do with an inheritance didn't you?---The cash box, yes, was to do with the - - -

Well look, on any view of it just quickly read through it yourself, okay. Just do that?---I doesn't say anything about an inheritance.

10

It's clear from reading through it that it's an email to your daughter from someone at the National Australia Bank?---That's what it's - - -

There's no doubt about that is there?---Well, that's what it implies, yes.

Yep. It then starts off, "We recognise that there may be occasions when customers are entitled to be compensated for incorrect charging due to employee or system errors including process failures or breaches of legislation, including fraud and other vigilant activities"?---Ah hmm.

20

What on earth does that mean? What other vigilant activities?---Don't know.

Doesn't make any sense does it?---Don't know.

Well it doesn't make any sense does it for a start?---I don't know. I don't know if it makes sense or not. I don't know what vigilant activity was.

30

It then goes on, "Due to your circumstantial issues we're happy to advise once the balance of \$107,000 has been paid to the National Australia Bank, we will release your contents including the following:"?---That's right, so to get - - -

And then it lists, "575,000 in cash, \$250,000 cheque, jewellery: five rings, two chains, writing documentation provided by the ASIO Australia. The above payment of 107,000 is to cover solicitors fees over the period of time from 1 June, 2007 to 1 June, 2012. Please also find a detailed statement of invoices attached." And nothing was attached?---Yep.

40

That doesn't sound as though it's got anything to do with an inheritance does it?---Sorry, the, because I asked her where did that money come from and she told me that was from the inheritance.

So the, the cash in the box - - -?---Was from the - - -

This was the cash box was it?---Yes.

And the cheque in the cash box?---Well the cheque, the cheque from memory was from the banks, from the phone companies I believe she said at the time.

How did the National Australia Bank end up, so the 575,000 is the inheritance?---Yes.

10 How did the National Australia Bank end up with your daughter's inheritance?---She must have put it into the cash box or safety deposit box or whatever they call them.

Why would she be putting \$575,000 cash into a safety deposit box at a point in time where you had lent her literally millions of dollars?---Well she said she got it and that's where she put it for safekeeping.

Why didn't she give it to you?---I don't know, didn't ask her.

20 You must have been absolutely outraged at this point in time?---Well I was, wasn't happy, I said if you've got the money there why don't you use it and she said well I can't get access to it now because it's all locked in.

How?---Well she said it was all linked because she signed some previous agreement that she had to pay all outstanding bank fees and solicitor's fees before she got access to any monies.

But the clearance that ASIO had been talking about was with Westpac and the Commonwealth Bank?---Yeah.

30 What's this got to do with the National Australia Bank?---I don't think it's got anything to do with ASIO.

No, no. But the National Australia Bank, this is, this is coming from - - -?
---Yeah, but she said they're all linked.

How can that be linked?---Well she kept telling me that ASIO got involved and linked them.

40 Exercise a bit of common sense. How could they all be linked?---Well didn't use common sense at the time obviously.

How on earth could this inheritance have got, found its way to the National Australia Bank?---She might have, you'd have to ask Jessica she might have put it in there, I don't know.

But they're saying that in any event you've given us \$575,000 in a safety deposit box but we're not going to give it back to you until you give us \$107,000 in bank fees?---That's what it says.

That is just absolutely ridiculous isn't it?---I didn't believe that at the time.

Of course you didn't believe it at the time - - -?---No, no, sorry, I didn't believe it was ridiculous at the time but I believed what she was saying because it all was linked in with bank fees and solicitors fees and she said she'd get all that back once we've paid it.

Do you now look at that and see how ridiculous it in fact is?---I now look at that and at the time I believed what it was.

10

Do you now look at it and see how ridiculous it is?---I look at it and in a different light it is a little bit unbelievable, yes.

It's more than a little bit unbelievable it is entirely unbelievable isn't it?
---Well that's, that's what you're saying I believed it at the time that's all I can say.

20

I understand you keep saying that, you say it's a little unbelievable. Why is it not entirely unbelievable, what's the little bit that is believable?---Because I, I don't have the facts to say whether it's true or not.

But just look at the document. IN terms of the story you're being told, firstly your daughter inherited an amount from a man that she was looking after, she's a 23 year old girl?---Yeah.

You weren't aware of any man she was looking after?---No.

It's a large amount of money?---Yeah.

30

\$575,000. It doesn't sound right does it?---I don't know.

You've lent your daughter millions of dollars at this stage, you're pressing, you're stressed out of your brain you say trying to get the money back?
---Yeah.

Yet somehow unbeknownst to you your daughter has somehow got her hands on \$575,000 in cash - - -?---Yes.

40

- - - and rather than give it to you she's put it into a safety deposit box?
---That's what appears to happen, yes.

And then somehow that safety deposit box has been magically linked with a piece of litigation that she was involved in?---Yes.

Which on the face of it did not involve at any time the National Australia Bank?---Yes.

They've somehow been magically linked to Westpac and the Commonwealth Bank. How on any view of it is that anything other than totally unbelievable?---At the time I'm going to stress it again I believed it from what she told me that that - - -

Have you ever had \$575,000 in cash upon yourself?---No.

It's an incredibly large amount of money?---Yes.

10 Have you known anyone who's ever had that sort of money upon themselves?---No.

Yet your daughter has apparently told you that she had amount of cash on her at some point in time?---Well she said she received that in a safety deposit box, yes.

Yeah. That again just unbelievable isn't it?---Oh, I don't know, she said it was an inheritance so.

20 And you just blindly accepted it?---Maybe I wanted to accept it, yes.

But looking at it now you accept it's totally unbelievable?---No, I don't accept it's totally unbelievable it could have happened.

Are you just maintaining this position because if you accept that it is unbelievable you think you're going to get into trouble?---No.

30 Well, what is it that is believable about it?---That somebody could have given her an inheritance and gave her, and, and they, they gave her cash and she put it in a box and she received the cheque from the banks and she it in the box for safekeeping.

And she could have flown to the moon and back that week as well, couldn't she?---No.

Why not?---No.

That, that's possible?---No, it's not.

40 Why not, it's physically possibly?---It's physically possible.

Mmm, so like this is physically possible?---That's right.

But it's, it's not likely to have happened is it?---Well, I believed at the time it did happen.

But it's not likely to have happened is it?---I don't know if it was likely to happen or not.

THE COMMISSIONER: Mr Camilleri, just putting aside, just putting aside what you think might have been believable about that email I'm just wondering what you would say about it given that it comes at the end of a long course of conduct on the part of your daughter which included the provision of that ASIO letter, was there nothing about the course of conduct that culminated in that email that caused you the slightest doubt about the voracity of her account?---No.

10 If you had a neighbour who had lived beside you for 30 years and the neighbour had told you this story consistently with the story that you say your daughter told you would you have believed it?---I don't know what I would have thought.

Are you seriously suggesting that if a neighbour or someone perhaps in your workplace approached you and told you this story that you would believe it from 2008 all the way through to 2012?---Depending how well I knew the person, whether or not I'd believe them or not.

20 So you would accept at face value what anybody told you if you had known the person for a long period of time?---Initially, yes, unless there was other facts to say that it wasn't true.

MR POLIN: This email, was it giving you any slight concerns?---No.

Not the slightest concern in the world?---No, no, because I guess my focus was you beauty, we might be out of trouble now she's got this money.

30 Okay. So she's got the cash and there's also the \$250,000 - - -?---Cheque. - - - that's come in - - -?---Yeah.

- - - from the, the case involving the mobile phones?---Yes.

So there's still the case involving the, the purchase of foreign property but the cheque there is for the mobile phone case?---Identity fraud.

Right. So then you set about over the, the following couple of weeks raising money?---Yes, probably.

40 I take it you raised over the following weeks \$107,000 which you gave to your daughter?---I assume I did, yes.

Yeah. So she would have gone down to the National Australia Bank in accordance with the letter they gave her and said here's the \$107,000 and she came home with a cheque for \$250,000?---No, she did not.

She came home with a safety deposit box with \$575,000 in cash?---No, she did not.

She came home with rings and chains, she came home with all the documents from ASIO?---No.

She didn't. Did - so in terms of that email you gave her the \$107,000 to take to the National Australia Bank?---I am assuming we put the money together, yes.

10 Did you think maybe by this point of time that it might be a good idea if you went down?---Yeah, I did ask and she said you don't need to go, I'll get, I'll arrange it.

Did you say to her look, I don't think it's a good idea for a 23 year old girl to be going down to a bank and picking - - -?---That's right, she said, she said she - - -

Let me finish?--- - - - she said, sorry.

20 Picking up \$575,000 in cash?---She said she'd be going down with her solicitors and they were going to hire a security guard.

They were going to hire a security guard?---That's what she told me.

Right. Did you think I might go down as well, I've got a bit of an investment in this?---Yeah, she said not to. She wouldn't tell me a time, where or when.

Didn't you say well, I'm sorry - - -?---Yeah, I did.

30 - - - I'm your father, I'm the major investor in this - - -?---Yeah.

- - - I'm coming?---Yeah, and she said no.

Has she got some control over you?---No, you're not the first person to ask me that, no, she doesn't.

40 I'm not the first person? Because it certainly would appear from an outside observer if you're giving honest answers that she does?---Well, I don't know what your definition of control is but she's my child and I'm trying to help my child.

Why wouldn't you be saying I'm sorry I'm coming I'm not going to hear any more about it, I want to make sure you're safe, I want to make sure the money's safe - - -?---She said, she said dad, I've got, it's been arranged with the lawyers, I don't know how long will be there, they've arranged for security guards and it seemed plausible at the time that, I said okay fine.

So none of that in fact happened other than you giving her the \$107,000?

---That's right.

And I take it within a very short period of time you realised she didn't have a cash box with \$575,000 in cash?---Yeah, cash.

She didn't have a cheque for 250,000, didn't have rings and jewellery or ASIO documents?---She didn't bring them to me, no.

So she came home and said dad here's your \$107,000 back?---No.

10

Why not?---'Cause she said she needed more to get it released.

Well why? The bank's pretty clearly said - - -?---Yeah.

- - - \$107,000 - - -?---They said they made, they made an error and she needed more.

It's a pretty specific amount?---Yeah, I understand that.

20

Okay. So she went down to the bank with the solicitor with the security guards and was turned away because they needed more?---Yes.

Is that correct?---Yes.

How much more did they need at that point?---I can't recall.

Was it a large amount?---I'd say it probably would have been.

30

Like what?---It's never been, never been minor amounts. I don't know, I can't recall.

10,000, 20,000? Weren't you interested?---She told me a figure I can't recall.

Wouldn't you have said look we'll go down give them 107,000 that was in cash too wasn't it?---It would have been deposited in her bank.

Couldn't you say well look we'll give you the 107 give us the safety deposit box - - -?---I'd said - - -

40

- - - we'll open that up, we'll take a little bit of cash out and we'll give you that and we're all good?---Yes, and I suggested that and she said that they said they would not do that.

And you immediately would have thought at that point in time you've been taking for a ride?---No, I believed her again.

Why, how on earth could you possibly believe it?---Well you asked me I'm not answering I believed her.

Yeah. Because you've decided for the purposes of this hearing you're just going to take a line, you're just going to tell everyone you believed it - - -? ---No, no, I'm telling you the truth. I believed her all the way along.

Would you think any other person in their rational mind would have believed it?---In their rational mind probably not. I don't know. You'd have to ask, you'd have to be in the situation to understand.

10 In any event the 107,000 where did that go to?---It went into her account and she said she paid the National Bank.

Right. So they've taken the 107,000 and haven't given what they said they'd give?---That's my, what I understood, yes.

She came home that night?---No, she wasn't living with me then, no.

I take it you said this is ridiculous, I'm not letting you go back with your
20 solicitor and your bodyguards and the like, the National Australia Bank told you 107,000 we're going down and we're going to get it and give them the 107,000?---I, I said something like that.

Yeah. So - - -?---Again she convinced me not to do that.

How?---I don't know, she's very persuasive.

She said then she needed more money?---I don't know if she said it there and then but yeah, there was more money required to release the box and then we went back onto the other - - -

30 You then got her more money?---I probably did around that time, yes.

And then you would have said at that time I'm coming down this time, it didn't work last time I'm not going to take any of that nonsense from the bank I'm coming with you?---That's right. And I was waiting for her call.

So you went with her?---No, no, I didn't.

Well you had the money?---We never went down.

40 Why not?---Again she gave me another story why we couldn't get it and then - - -

What was it this time?---And then, then she changed her story onto um, back to the original story, so we started chasing money for that that the Commonwealth Bank's ready to go, let's get that money then we can use that to pay, take the National Bank money out.

Right. So you just left this - - -?---Yeah.

- - - nearly \$1 million sitting in the National Australia Bank?---Because we didn't have the funds to continue to try and get it out.

Okay. Then within a matter of a month or so you're onto the ANZ Bank?
---Yes.

So first of all your Commonwealth - - -?---Yeah.

10 - - - and Westpac?---Yes.

And there's money in there - - -?---Yeah.

- - - and that's tied up?---Yeah.

And you had to pay a fee to get it out?---Yeah.

20 And they kept telling you ever time you went to get the money out that the fee was, had increased?---Yes.

And so you were on this incredible roundabout that every time you went to the get the money they just kept telling you they wanted more?---Yes.

Then you had the cash box and the proceeds from the mobile phone case in the National Australia Bank?---Yeah, some of the proceeds, yes.

Only some of the proceeds?---Well, I believe what went into the ANZ was also some more proceeds.

30 And the National Australia Bank, surprisingly we're doing exactly the same thing that Westpac and the Commonwealth Bank were doing, were saying that they wanted fees to be paid to release the cashbox and the cheques and the like?---Yeah, something to do with the settlement of the inheritance from what I understood it.

Well, what's, what is the National Australia Bank, what did they have to do with the inheritance, nothing?---I don't know.

40 What did the National Australia Bank have to do with the case involving the mobile phone companies?---I don't know.

Nothing. Is that right?---Yeah.

What's the National Australia Bank doing asking for \$107,000?---They asked for fees, I, I believed my daughter.

You, you've run bank accounts all your life haven't you?---Yes.

Banks charge fees don't they?---Yes.

They normally charge a fee to maintain an account don't they?---Yes.

They don't generally withhold people's money and basically threaten that they won't release it unless they pay, people pay fees do they?---Normally, no.

10 What, what's the National Australia Bank doing in this letter, they're saying, aren't they, blackmailing her?---I don't know, I believed the letter.

But what, what are the fees?---As I said they said the fees were linked to the overall case.

How can they be, you've already just agreed - - -?---I know that.

- - - the National Australia Bank had nothing to do with the mobile phone case?---Yes.

20 They had nothing to do with the inheritance?---Yeah.

How could they in any way incur fees - - -?---I don't know how they could but that's the story I was told and I believed it.

I know that sir, but I'm asking you the questions and they'd be questions that you would be asking yourself at the time wouldn't they?---Well - - -

30 How could the National Australia Bank be charging 107,000, that's what you'd be asking wouldn't you?---Yeah, and she gave me a good reason at the time which I can't recall at the moment.

Oh, sir, come on. Well, what was the reason?---I don't know, she said something to do with, it was fees that was linked in with the inheritance, she had to pay it, the, the bank made a mistake.

40 THE COMMISSIONER: Mr Camilleri, if you were having your salary at the time paid into an account at the NAB and you decided to change banks and close that account and move your account to say the ANZ and you went down to the NAB to close your account and they said to you before we can give you all of your money we want to pay \$107,000 what would you have said?---Yeah, I wouldn't have, yeah, I would have argued the point, is.

Well, you would have done more than argue the point wouldn't you? What would you have done?---I would have sought legal advice.

Well, how is this any different?---Well, my daughter had legal advice - - -

No, no, no?--- - - - or I understood it to be.

How is it any different?---It's not any different, my, my daughter had legal advice working on it so I assumed there was - - -

No, she didn't have legal advice about the payment of the \$107,000?---She, she had lawyers, well, I was told she had lawyers working with her on that.

But you would have realised at the time that you saw this that that was just wrong wouldn't you?---No, I didn't.

10

Well, how is it any different from the scenario I've just put to you?---It's not but the, the whole content of the story, it fitted in with the whole story that I was being told.

MR POLIN: In any event, within a month or so you've moved forward to the ANZ Bank, is that right?---Ah, yeah.

What was the involvement of the ANZ Bank in any of this?---I don't know, she said some funds were put into that account.

20

How many accounts did she have?---That I know of?

Who did she bank with? Normally you'd bank with one bank?
---Commonwealth and Westpac I understood.

Yeah?---She had a BankWest account as well and she had an ANZ account.

Well, how many accounts did she have, why did, why did she need multiple - - -?---You'll have to ask her, I don't know.

30

Right. I'm actually asking you but didn't it strike you as strange that she had multiple bank accounts?---No.

And are you suggesting that she had funds that she'd got from the settlement of a case and put the funds into multiple bank accounts?---That's my understanding, yes.

The ANZ Bank, what involvement did they have at all in the mobile phone case or the purchase of properties overseas case?---Well, I don't believe they had any involvement.

40

Okay. So your understanding back in mid-2012 was that the ANZ Bank were not involved in any of the cases at all?---Yeah, that's my understanding.

Right. Might the witness be shown Exhibit 24. You were then shown this letter, Exhibit 24 in or about July 2012 weren't you?---Yes.

Again, when you'd asked your daughter for confirmation as to her stories?
---Yes.

Now the National Australia Bank you say as at this time, sorry, the ANZ Bank, as at this time was not involved in any of the cases involving your daughter?---How I understood it, yes.

And did you understand her to have a, an account with the ANZ Bank?---
When she told me about it, I didn't know prior.

10

Well, prior to it who did you understand, stand that she banked with?
---Ah, Commonwealth and Westpac I think.

Right. So when you got this letter your understanding was your daughter had no connection with the ANZ Bank and the cases had no connection with the ANZ Bank?---Yes.

Do you see that?---Yes.

20

Now the letter's addressed, it says to Mrs Jessica Nicole Camilleri, do you see that?---Yes.

Well, she wasn't - well, she was married at that time but that wasn't her married name was it?---She never used any other name but Camilleri.

Right. "This letter is to inform you that a total of \$98,000 must be paid to the ANZ Bank to cover all solicitors' taxes and fees associated with your cheques and payouts from Baycorp and ACMS Australia which has been banked into the ANZ Bank in the total of \$975,000."?---Yes.

30

"No funds will be released from the advice from ASIO unless outstanding fees have been paid. Fail to do so can result in further legal action at the end of business of 24 July, 2012."?---Yes.

"Should you have any questions please have your legal representation call us on," and there's a number?---Yeah.

As soon as you read that, sir, you would have said oh, my goodness, I've been taken for a ride?---No.

40

No?---No, it's not what I thought at all.

What did you think when you received a copy of that?---I thought again this was a legitimate letter.

It's not a letter that is on the face of it an ANZ letter is it? Someone's just copied a logo off the computer and put it on the top of a piece of paper, it's quite clearly that isn't it?---Well, at the time I didn't see that like that, no.

The letter seems to be saying that your daughter had a case against Baycorp and ACMS?---Yes.

Now the cases were with the major mobile phone companies?---Yes.

Who are Baycorp and ACMS?---I think they're the debt, the, the, I think that's where the phone company has transferred the debt to and then they chased her for the money.

10

Well, if the phone companies transferred the debt to a debt collector the phone companies then wouldn't have had a case?---I don't know.

Well, no?---Yeah, that sounds logical, yes.

Well, there's no logical, that would have been the fact of the matter wouldn't it?---Yes.

20

Well, how could you daughter then have had a case with the phone companies and with the debt collectors, only one of them could have the debt?---I don't know, she reckoned she could sue both of them.

Are you buying any of this?---Yes, I did.

And what the letter seems to have, say is that your daughter got payouts from Baycorp and ACMS, you see that?---Yes.

30

And those payouts were banked into the ANZ Bank, being a total of \$975,000?---Yes.

That's what, that's what it seems to say?---Yes.

Now firstly that's a bank that you had no knowledge of your daughter being involved with earlier on?---That's right.

And they are saying that their only involvement is that cheques from Baycorp and ACMS - - -?---Yeah.

40

- - - were banked into an ANZ Bank account?---Yes.

So that they're saying we have a bank account here in the name of Jessica Nicole Camilleri with \$975,000 in it?---Yes.

And they're saying we're not going to let you have it unless you pay us, the ANZ Bank, \$98,000 for solicitors' fees, taxes, fees associated with your cheques, you see that?---Yes.

You're smiling?---Because I'm going to - - -

It's totally unbelievable isn't it?---No, no. I'm smiling because you're going to ask me the same question and I'm going to give you the same answer.

Yeah, I know. And this is, this is probably the most ridiculous we've got to so far isn't it?---No, I believed it. It just - - -

10 How on earth could you believe it, how on earth could you believe the ANZ - - -?---You asked - - -

- - - Bank could assert that they would be owed \$98,000 because someone had banked some money into an account?---Because she would have supported that with a story that I would have believed at the time.

What story, what story at all could support that?---She was just saying it was linked all together and it just made a lot of sense what she was saying at the time.

20 How could it make any sense?---Well - - -

Just tell us. You must - - -?---In my frame of mind at the time it made sense.

You must remember one of these stories. She'd told it so many times. How was she telling you that bank taxes and fees and ANZ's solicitor's fees could be in any way linked to these other cases?---Well, she told me that she originally signed a document to say that unless all fees and outstanding costs were paid upfront that none of the monies would be released. And
30 ASIO was keeping an eye on that.

Who did she sign that document with?---I can't recall who she said she signed it with. She said the original, the original settlement or whatever this, these cases were.

Well, that of course would have to have been with the ANZ Bank?---No.

Because they're the ones wanting the fees?---No. No.

40 They would have had to have been a party that - - -?---No, the bank was, she told me the bank was notified by ASIO, "Do not release any money to this girl till she sorts this other issue out."

So ASIO have notified the ANZ Bank?---That's what I was told.

And said, "Don't give the money that has been banked into the account to her until she pays your fees"?---Yes.

And of course anyone logically would say if there was any truth at all in it you'd just go to the ANZ Bank and say, "Just deduct the 98,000 from the 978,000 - - -?---And again - - -

- - - now, 175,000 and give me the balance?---Again, she, she claimed she wasn't allowed to do that.

At this point in time this has happened to you with every major bank in the country?---Yeah.

10

They are all holding funds, large amounts of funds on your daughter's behalf. They are all demanding that you pay fees?---Yep.

National Australia Bank identified the fee, they wanted 107,000. You gave them 107,000?---Yes.

They then said they wanted more?---Yes.

You then gave them more?---Yes.

20

And they then said they wanted more?---Yep.

You then gave them more and they then said they wanted more?---Yes.

You gave them more and they then said they wanted more?---Yes.

30 You gave them more and they then said they wanted more. How much more were you going to give them before you understood that this was all a sham?---Well, I never understood it to be sham at all. I, I was just trying to get back the money so I could pay people back. I got into a spiral I couldn't get out of.

It would seem on this story that there're only two options. One is you are incredibly stupid or you're not telling us the truth?---I'm telling you the truth.

So that means you're incredibly stupid?---That's your opinion.

40 Well, I think you accepted that didn't you?---Well, you said I only had two choices didn't you.

Well they seem to be the only two?---Or very naive and believed my daughter.

Well that - - -?---Too much trust in my daughter.

But, but just on what I've put to you it's more than just - - -?---Yeah, I'm, I'm - - -

- - - being naïve and believing someone?---I'm very embarrassed of where I've put myself and put everybody into. I'm ashamed of myself.

The ANZ Bank then said they wanted \$98,000. They identified the amount?---Yes.

To release the money?---Yep.

10 You then raised the \$98,000, is that right?---Oh, probably, yes.

And you gave it to them?---I'd say, I put it into the account, yes.

And what did they do?---Again I think - - -

Let me guess?---Yeah.

Yeah. They said they wanted more. They made a mistake in the calculation of the 98,000?---Yeah.

20

Yep?---And then we went onto the, back to the other original story.

And then when you went back with the extra money to the ANZ they said sorry, it's more?---I can't recall what happened with the ANZ. That didn't hang around very long.

Didn't hang around?---Like, I mean, I didn't, we didn't follow that up too much. We sort of let that go and said the bigger, the bigger fish was there so we went for that.

30

What was the bigger fish?---Like, the, the major case, the settlement.

Okay. So just in the minor stuff you've got, let's see, probably, certainly over \$2 million in just the little fish?---Yep.

You've got \$2 million sitting in accounts with four major Australian banks?---Yep.

40 Who appear to be on one view are blackmailing you some way are they?--- I'm not saying that.

Well - - -?---It feels like that but I - - -

Well it can't be anything other than that can it, sir. You're going to them, they assert they want a fee to release money. You go with the fee and they tell you, "No, we want some more"?---Yeah.

You then go with more and they say, "No, we want some more"?---Yep.

You then go with more and they say, "No, we want some more"?---Yep.

And Westpac, Commonwealth Bank, NAB, and ANZ all did that to you?---
Yes.

That's just an incredible story isn't it?---(No Audible Reply)

10 And one that you weren't believing at all at this point in time were you?---I
was believing it 100 per cent.

100 per cent?---Yeah.

THE COMMISSIONER: Mr Camilleri, when you said that she would, your
daughter that is, explain these issues to you were those explanations given to
you in person?---No, over the phone the majority of the time.

20 So most of the explanations you received from her was during telephone
conversations?---That's right, while this was going on. And occasionally
when I'd meet up I'd ask her again and she'd give me the same stories.

Well when you say occasionally you'd meet up how often did you actually
see your daughter?---Weekly, fortnightly, just depending.

And on what occasions would you see her weekly or fortnightly?---She'd
come for a visit or we'd go visit her place.

So you would go to her place and she would come to your place?---Yes.

30 So there were weekly or fortnightly occasions when you could have a face
to face conversation with her about these matters?---Yes, but she, she
preferred not to talk to, talk about it while her husband was around.

So if her husband was there then you didn't discuss these issues?---We
discussed it but very briefly.

What about when your wife was present, did you discuss them then?---Not
in great detail, no. My wife didn't know much about it.

40 So does that mean there were very few weekly or fortnightly occasions
when you could actually discuss it face to face because you were in the
presence of other people?---In a lot of times, yes.

So most of these explanations were just given to you over the phone?---
That's right.

And all the documents that she showed you, including the ASIO letter and
the ANZ letter, did you keep them?---No I didn't. She, she emailed them

through and I deleted them after I, I think I printed once, I think ICAC's got some. I might have kept one or two. I don't know what I kept.

Why didn't you keep them?---I don't know. I think I did, I don't know if I kept them or not. I can't find anything at the moment.

MR POLIN: You, you borrowed money from probably more than 100 people in the end. But let's deal with the people at RailCorp. Who was the hardest person that you found it the most difficult to go and ask for money?--
10 --Every one of them.

Who was the hardest? Let's just pick one of them?---I don't think, they were all equally hard to me. I was embarrassed approaching any of the people.

Right. Mr Mason, he would have been hard being the, the most senior person there?---I don't know what you mean by hard?

Well, did you find it very difficult and awkward getting - - -?---I did with
20 every individual.

Okay. Well let's look at all of them then. I thought there might be one that was more so. Towards the latter part of 2012 you've got probably over \$2 million on this story in accounts with four of the major banks who just are asking for a fee to be paid and then the money's out?---Yep.

Is that right?---That's right.

And your, you make a decision. You make a decision that you're going to
30 borrow money from people at work to pay that fee?---Yep.

And you say that was an incredibly difficult and awkward thing for you to do?---Yes.

Why then, for example with the ANZ Bank did you not just do what they suggested to you, that is if you have any questions please ring the number?--
-Because it's addressed to my daughter. They wouldn't give me any information.

40 So you rang them did you?---No, no. I assumed that it's a private matter between her and the bank, that they would not release any information to me.

Before you actually went through the very difficult embarrassing process of going to all these people at work why wouldn't you have picked up the phone and rung the number and asked to speak to the person whose name appears at the bottom of that letter?---I didn't.

You would have immediately then found out that the ANZ Bank doesn't employ anyone by that name. What would, what would you have thought then?---In hindsight I should have done it I guess.

What would you have thought then?---Then I would have thought something's not right here and I would have rung my daughter and said what's going on.

10 Do you honestly expect any person to believe that there's \$2 million tied up in accounts where banks are blackmailing you for fees, there's a number and a name on one of the banks letters that you can ring to check out what the problem is and you don't do it?---No, I didn't do it.

You didn't believe your daughter's story at this stage did you?---I still believe my daughter's story.

You were so far into it at that stage weren't you? By mid 2012 you owed millions didn't you?---Oh I don't think - most of that was my money I think.

20 By mid 2012?---Oh 12, yeah, yeah.

Millions wasn't it?---I don't know if it was millions it was hundreds of thousand - - -

How were you going to get yourself back, get your money back, get the money you owed back at that stage?---How did I intend paying people back is what you're asking?

30 No. How were you going, how on earth were you going to get back into a, a sound financial position?---Well if we could access this money I thought we'd be back to where we were.

Well you, you stopped even trying to access this money that's what you're telling us?---No, no, no, my daughter kept trying through her solicitors I was told.

You must have been desperate to get your hands on this money?---Of course I was desperate, I went through my daughter and her solicitors.

40 Could it be the case that at this point in time you didn't believe any of it and in fact you had it out with your daughter - - -?---No.

- - - about not believing any of it?---No.

And that the only way out was to raise more money on the basis of the originally story and gamble your way out of it?---No.

That sounds like a logical explanation doesn't it?---It's, it's not what happened.

Right. But it would certainly explain why you continued to borrow money notwithstanding the evidence that your daughter was giving you was giving you was clearly fabricated - - -?---No, no, I continued on the same – sorry.

Was clearly fabricated wasn't it?---I didn't believe it at the time.

10 Your sister, you heard her yesterday?---Well that's, she never said that to me.

I understand that. So if someone had said it to you like your sister said this is rubbish that would have - - -?---Oh I would have said why do you think it's rubbish.

Okay. In fact someone did tell you this was all rubbish didn't they?---What, this letter? No.

20 Not this particular one some of the other rubbish that you produced?---No. Mark Ross-Smith - - -

Yeah --- - - - he, he said that they hadn't spelt paid right.

Mark Ross-Smith said to you, he sat back when you showed him a letter and his words were, "Joe, that is just bullshit"?---Well I don't remember that, I remember him picking out the fault of that on the letter and I said well that's what I've got I said I'm not saying it's not true or not I said that's the evidence I got in front of me that something's coming through.

30 Are you saying that Mr Ross-Smith lied when he gave evidence - - -?---No, Mr - - -

- - - that he said, "Joe, that is just bullshit"?---No. Mr Ross-Smith repeated what he recalled the conversation was.

Right. And you would have recalled Mr Ross-Smith saying that wouldn't you?---No, I don't recall him saying that, I recall him pointing out the word paid 'cause I didn't even pick that up at all.

40 Right?---And he, that, that's what I recall.

THE COMMISSIONER: Mr Camilleri, a moment ago you said in response to a question when Mr Ross-Smith said, "Joe, that is just bullshit" and you said, "I don't recall him saying that, I said well I don't know if it's true or not but that's what I've got." Is that what you said to Mr Ross-Smith?---I, I think I said, well when he put doubt in my mind or, or said, said that repaid

is right or wrong I said well that, that's what I've been given, I wasn't saying that it was true or not I said this is a document I have in front of me.

So at that stage - - -?---That I believed, that I believed was true, sorry.

Sorry. You just said a moment ago that your response was, "I don't know if it's true or not that's just what I've got. So were you in the position then of not caring whether it was true or not?---No.

10 Well why did you give that answer?---I don't know.

MR POLIN: Because, now you showed Mr Ross-Smith another document didn't you?---No, I, the only document I know from the Commonwealth Bank is the one that was tabled here.

Well it's a Commonwealth Bank letter wasn't it?---Yeah, that's the only one that - - -

20 You sat and you heard Mr Ross-Smith's evidence didn't you?---Yes.

Might the witness be shown Exhibit 10.

THE WITNESS: Thank you.

MR POLIN: Now do you say that Mr Ross-Smith lied when he gave his evidence at the tribunal?---No. I never said he lied at all I said he recalled it the way he thought he saw it.

30 He did a little bit more than just recall something didn't he, he gave evidence that he was shown a Commonwealth Bank letter very similar to this letter. Do you remember that?---Yes, I do remember what he said.

And he said the differences in the letter were it wasn't addressed to Jessica it was addressed to you?---This is the only letter I know of.

Understand that. But you remember his evidence that the letter was addressed - - -?---I do remember his evidence.

40 - - - to you. He was insistent that the letter was addressed to you. Remember that?---Yes.

Excuse me, Commissioner.

Do you remember Mr Ross-Smith being asked this, "How certain are you that the document which you'd been shown, that's Exhibit number 10, is not the document which you saw at the time"?---Yes.

To which he answered, "I'm 100 per cent certain." Remembering him saying that?---Yes, I do.

He said, he was asked why he was so certain he said, "It's a different letter", he said, "It was addressed to a different person. It had a different address on it." Remember him saying that?---Yes, I do remember exactly what Mark said.

10 Remember him saying, "The wording about your attorney, Power of Attorney Joseph Camilleri or whatever it was was not in the first letter." Remembering him saying that?---Yes, I do remember him saying that.

"The body of the letter was fuller than the letter that I saw, in the letter I saw"?---Ah hmm.

Then he said there is no question in my mind that it was a different letter. Do you remember that?---Yes, I do.

20 He had no doubt at all that he was shown a different letter?---Yes.

Where's the letter?---There is no other letter.

So he's not telling the truth?---He's telling what he believed.

Right. So he despite the fact that he says he was 100 per cent sure - - -? ---Yeah.

30 - - - and he specifically identified the parts that the letter were different? ---Yeah.

We would disbelieve him and we should believe you?---I'm saying what – the only letter I know of is this one.

That there's only one letter from the Commonwealth Bank?---Yeah, this letter is all I - - -

There's been more than one letter from the Commonwealth Bank circulated though hasn't there?---I'm not sure.

40 What do you mean you're not sure?---This is the only one I've seen circulated. Was there a receipt or something, was that from the Commonwealth Bank?

No. There's another, there was a - - -?---What was the other one? - - - photograph of a Commonwealth Bank letter circulated at one stage wasn't there?---Which one was that?

I'll show you this document?---I've never seen this letter.

This is another letter is it not - - -?---Yeah, yeah.

- - - addressed to your daughter?---Yes.

It's got a different date on it, got different amounts on it?---Yes. I do not recall seeing this letter.

10 Should we believe that?---I'm sorry I don't recall, I may of, I don't recall seeing it, I don't.

I tender that letter page 317.

THE COMMISSIONER: Exhibit 37. I'm sorry, Exhibit 38, I'm sorry.

**#EXHIBIT 38 – PHOTOGRAPH OF LETTER ADDRESSED TO
JESSICA CAMILLERI WITH CBA LETTERHEAD DATED 4
FEBRUARY 2011**

20

MR POLIN: There's clearly more than on Commonwealth Bank letter that was doing the rounds at the time wasn't there?---Again, I don't recall seeing this letter.

But it could be the case that this is another one of the letters that you've provided to people when they wanted information?---I don't recall seeing this letter.

30 In any event – this was a letter you showed Mr Ross-Smith when he wanted some verification that the story was true?---The one, yeah, the Commonwealth letter yes.

Because he didn't believe you, did he – he doubted the letter was assuming - - -?---That's what he's saying he said.

40 Yes. And if we accept even just your evidence, he said that he doubted it was genuine because he identified spelling mistakes in the letter and he didn't believe that the bank would make those sorts of spelling mistakes, that's right isn't it?---That's right.

And therefore he was saying to you he didn't believe it was a genuine letter, that's right isn't it?---Yes.

Well, you told me but a moment ago if your sister back in May had said to you that she didn't believe the email was genuine, that may have made some difference. Here we are in December 2012 and Mr Ross-Smith has told you

that the document that you've given him as evidence that your daughter's story was true he believed it to be a fake?---That's what he said.

Yes.---Yes.

You've then had a look at it and you thought – are you right?---No, I, I said to my daughter is this genuine, she said, yes it is.

10 So Mr Ross-Smith said to you it's a fake, you took it back to your daughter and said, Jessica, is this genuine?---Yes.

And you said, she said, "Yes of course it is."---Yes.

And so what did you do, you believed her?---That's right.

You didn't think to ring the person at the Commonwealth Bank?---Again no because it's addressed to my daughter.

20 Now at this stage the story is getting wildly out of control isn't it?---It's consistent.

How's it consistent?---Well, it's again, she needed money for bank fees to release the money and I continually believed that.

It is wildly out of control is it not?---It's out of control, yes, from the amount of money I've borrowed.

30 Well, for the amount of money that you're about to come into, you've won a really big lotto it would appear?---If that was true, yes.

Exactly, if it was true. So as at December 2012 you must have thought you've won lotto?---To be honest, I really didn't care about the amount of money all I wanted to do was pay people back that I owed and get my life back.

40 You didn't care that the Commonwealth Bank was holding two amounts, not sure why they're two amounts but \$44.6 million and \$47.4 million? ---That's not what I said, I said I didn't care about the amount of money that was coming back because my focus was on paying people back and getting my life back on track.

So over \$90 million, where was that coming from?---She told me, from several, several banks that were involved and all the pay outs, she said this has been a big case.

Massive case. We've got the Commonwealth Bank, we've got the ANZ, we've got National Australia Bank, we've got Westpac, they've all got their money, it's all tied up you can't get your hands on it?---Yes.

Commonwealth Bank has come out of nowhere with the big pay day over \$90 million they're holding?---Yes.

Was that, were they paying that money, was that their money or was it, did someone bank the \$90 million into a Commonwealth account?---I think, from what I understood a few people had banked it and then they were holding it.

10 So it wasn't their money, a few people banked it in?---Yes.

Who banked it in?---She said other banks and phone companies et cetera.

Other banks and phone companies, what for?---Again for, she claims that when they stole her identify that they had a case to fight it back and get the money back and be able to, again, I guess I'll use the word defamation, I don't know if it's the right word, she had grounds to sue them back for the monies.

20 When did it first come up that the money was more than the hundred of thousands and millions, when did it suddenly come up that over \$90 million was what you were going to get?---She mentioned it to me, I don't know, I can't remember when, she mentioned it to me, she did mention, she said it's a significant figure.

Well you actually had the copy of the judgment didn't you?---No.

No.---No.

30 You recall sitting in court hearing the evidence of the telephone conversation where you read out the findings of the court?---I don't - - -

Mr McCarthy I think had asked you at one stage for some verification and you read out to him a document?---I don't recall reading anything out to Kevin, Mr McCarthy.

Are you saying he's not telling the truth?---No, I don't recall what I read out to him (not transcribable)

40 So if he's telling the truth, he's given evidence that you read out a document which was a formal or part of a document – a formal court document where the court made various findings in favour of your daughter – do you understand what a finding is in the legal sense?---Yes, yes.

And then went on to award an amount of damages to your daughter?---Yes.

He said you read that document?---I don't recall reading that out.

That's something you'd recall?---I don't believe I did read it out, I can't remember.

Well what it is, do you recall it or you didn't do it, what's the - - -?---I don't remember it.

It is something you would remember, isn't it?---I would think I would have remembered it.

10 You would remember seeing part of a judgment from a case where your daughter's awarded \$90 million plus in damages, wouldn't you?---Yes.

You'd remember that wouldn't you?---Yes, I definitely did not see that.

Yes, and you definitely didn't read it out?---I'm pretty sure I didn't read it out.

So Mr McCarthy's not telling the truth?---I don't know what Mr McCarthy's saying.

20

In any event, \$90 million December 2012, Mr Ross-Smith has said to you, Joe, even if you don't remember the words he said it was Joe, that's just bullshit, but you recall him telling you that the letter was a fake?---No, he pointed out the spelling mistakes in the letter.

And you agreed a bit earlier that he said to you, therefore he believed the letter was a fake?---I can't remember the words he used but he implied that it wasn't a true document.

30 You agreed five minutes ago with me that he said to you that he believed the letter was a fake – do you remember?---I don't, if I said that then I said that.

Well, that's what you said.---Okay.

And as a result of that you then went to Jessica?---Yes.

And said is this a fake?---Yep.

40 And she said, "No, it's not," can't you remember this evidence only five minutes ago?---Yes.

Remember that?---Yes.

And you then just blindly believed her saying it's not a fake?---Blindly believed, yes.

And you didn't bother to ring anyone with the phone numbers on the letter to check?---No.

Notwithstanding the fact that a person you'd worked with for quite some period of time - - -?---Yes.

- - - he's a highly respected employee of a contractor that RailCorp dealt with, I take it you had no reason to doubt what he said?---No reason, no.

Wouldn't you take on board that he's telling you he believed it's a fake?
---Yes I took it on board and I questioned my daughter.

10

But you've been questioning your daughter for years haven't you?---Yes.

Do we need to go back to a couple of the emails in 2008?---No.

Where you're saying to her, no more lies?---For that issue, yes.

Yes. Let's hope you're telling the truth about the cheque?---Yes.

20 Didn't you say let's hope you're telling the truth about the Commonwealth Bank letter?---Yes.

You could not rationally ever have believed that this letter was anything but a fake?---No, I believed it was genuine.

Now, and this was the big picture, this was the big money case, is that right?
---Yes.

Okay. And then we've got the money in the other accounts?---Yes.

30 That's the mobile phone case. You spoke then to Mr McCarthy in December 2012 didn't you?---2012, yes.

So around about the same time, certainly in the same month that you'd spoken to Mr Ross Smith?---I, I can't recall dates but if that's what you say, yes.

And Mr McCarthy was expressing concerns, he'd leant you a lot of money?
---Yes.

40 He wanted some verification that the story he was getting was the truth?
---That's right.

I want to suggest to you that after you dealt with Mr McCarthy in December of 2012 there was no way known that you could have believed anything other than that the story your daughter was telling you was fake and untruthful?---That's not true, I still, I believed her.

You forwarded Mr McCarthy a receipt from a bank didn't you?---Yes.

Might the witness be shown exhibit 19. This is a copy of an email from you to Mr McCarthy dated 30 December, 2012 is it not?---That's right.

In which you've said, "Kevin, for your information. Please delete once you've read it"?---Yes.

"Can you please confirm you've received it"?---Yes.

10 And what you've attached is a copy of an electronic transfer receipt?---Yes.

That has been sent to you by your daughter?---That's right.

And you're familiar with internet banking and the like?---Oh, I'm familiar with it, yes. I don't use it.

You're clearly - - -?---I don't use it but I'm familiar with it.

You clearly recognise that's what it was?---Yes. Well - - -

20

And what you were representing to Mr McCarthy was this, that your daughter had transferred \$5 million into your bank account?---That's right.

And that was to say, 'don't worry, Mr McCarthy, everything's fine, it's all coming to an end. Jessica's transferred \$5 million into my account'?---That's right.

Where's that coming from?---That was oh, she said she had five, she got \$5 million and she said it's coming through.

30

Just a lazy 5 million from somewhere?---She said money started to come through and she said, "I got \$5 million. I've transferred it into your account."

Through where? We've got the money in the Commonwealth Bank, the ANZ, the National Australia Bank, and Westpac, that doesn't add up to \$5 million, do you agree with that?---That's right.

40 We've then got the 90 million in the Commonwealth Bank in December, 2012 and that won't be released, or wasn't released because you had to pay the fees?---That's right.

Where's this lazy \$5 million come from?---She said some of it was released.

Some of it was released?---Yep.

Was it?---They're starting to release some of it. Yes. That's what she told me. And she said, "There's 5 million going into your account." And I said, "Prove it." And she sent me this.

Right. You were telling Mr McCarthy that you couldn't get your hands on this \$5 million?---Ah, after, well when it eventually got into my account, yes.

10 So it was going to your account but you weren't then able to access your own account because you had to pay the bank some fees?---No, no, not my account. She said she transferred this and it didn't come through because she couldn't get it released.

Right. So there's \$5 million in her account that's been released from I take it the Commonwealth Bank money?---Yep.

It's gone into her bank account?---I don't know if it's gone into her account. Wherever it was being transferred to - - -

20 Well, it's transferred from a smart access account it would appear?---Yep, that's probably her account, yes.

Yeah?---Yep, that's her account.

So she's represented to you that she's got \$5 million in her account?---Yep.

Which has been transferred into your account?---Yes.

30 But that transfer never went through?---That's right.

And she's telling you that surprise, surprise that bank having paid the fees and finally got five of the 90 million from the Commonwealth Bank - - -?---Yep.

- - - that the Commonwealth Bank was now asking for fees to get it out of her account?---That's, yeah, I think that's the way it went, yes.

Do you honestly - - -?---I did.

40 You couldn't?---I did believe it.

So she's paid all these fees to get it out of the Commonwealth Bank. The Commonwealth Bank's transferred \$5 million into another Commonwealth Bank account and they've said, "Boing, got you again. You're going to have to pay more fees to get it out of that account"?---Yep.

That's just garbage isn't it?---That's what she told me and that's what I believed.

But this transaction never went through did it?---No, \$5, I think two or three days later I noticed \$5 went through.

Yeah?---And I said, "What's going on here?"

So you never got notification that that \$5 million had been declined did you?---No. No.

10 Excuse me just one moment. I'll give you the document in a moment but what we know don't we is that there's a bank statement for your Commonwealth Bank account. So Jessica was transferring the 5 million from her Commonwealth account to your Commonwealth account?---Yes. Yes.

Here's the statement up on the screen now?---Yep.

If you go down the bottom of the document, 30 December?---Right.

20 We see a transfer from Jessica Camilleri?---Yes.

\$5?---Yes. And?

You're kidding me if you think you believe the story at this stage aren't you?---I still believed the story.

Did you go straight down to the Commonwealth Bank and say, "What on earth is going on here?"---No.

30 "I've got a receipt. \$5 million should be in my account"?---No.

"You clowns have only put \$5 in"?---No.

"Where's the rest of my money"?---I didn't. I rang my daughter and asked what's happened. She said, "Oh, they held it back."

They held it back except for \$5?---Yeah well, I didn't even think about, wasn't even thinking of the \$5.

40 Oh come on, sir?---I wasn't.

The first thing you think of is she's done a transfer for \$5, she's copied the receipt and added the zeros to the end of it?---Well, that's what appears to have happened.

What do you mean that's what appears to have happened? That's the first thing you would think of?---I didn't.

Did you ever receive any notification from your bank that the \$5 million had been declined?---No.

Well, the only then, the only logical conclusion you could reach would be that the bank's made a mistake, that someone's typed in the wrong figures and only \$5 has gone through?---I didn't. Because I asked her where's this 5 million and she said, "It'll be a couple of days." And then she told me it's not coming through.

10 And how did she explain the \$5?---She said oh, she just, "I put through to set up a link so the 5 million could - - -

What do you mean set up a link?---Just - - -

That's just garbage?---Oh well, that's what she told me. You asked me what she told me. That's what she told me.

20 That's what she told, and you immediately said to her, "That's just nonsense. You don't set up links between bank accounts. You just transfer the funds"?---No, no, if you haven't transferred before you, you normally put in a small amount to make sure it works and then you put in a larger amount.

Oh, of course you don't. When you pay a bill online you put through \$5 first to make sure it goes through and then ring them and say - - -?---I don't, I don't - - -

- - - I just rang to check - - -?---I don't pay online.

30 Then why did you say it? That's not what - - -?---That's, that's what I was told, that she put in a small amount to make sure the link's set up and then it allows you to put in funds as you go along.

So they released \$5?---She, she put \$5 through to open the link and that means any other time she puts money in there's no waiting period.

Sir, you could not possibly have ever believed her story at this stage?---Yes I did.

40 Did you have maybe even the slightest doubt?---No. I was, I was surprised - - -

None at all?---- - - about this.

Well what does a surprise mean, do you, is that a doubt?---Oh, wouldn't say doubt. I wanted to again challenge her, is this, "What's happened with this"? But I - - -

This is - - -?--- - - -still believed the money was there and that we needed money to access it out.

Did you ever say to her - - -?---I still believed her.

- - - "Can I have a look at your bank account, bank statement to see that the money's in there"?---Yes I did.

10 And?---She wouldn't let me. She said, "Oh, when you come around I'll show you," and we never got around to doing it.

Oh sir, this is getting critical at this stage?---Yep.

There's millions and millions of dollars outstanding?---Yes.

You couldn't be bothered to go around to your daughter's account, daughter's house to check whether she had the money in her account?---She, she wouldn't let me.

20 THE COMMISSIONER: Mr Camilleri, the fact that she refuses to give you this information in no way causes you to doubt her credibility?---She's, she's a fairly independent person so I was surprised with her reaction.

Well sorry, that doesn't answer my question. The fact that she refuses to give you this information, she doesn't let you see her bank account records, she refuses to tell you the date and the time and the place where she's going down to the bank with the solicitors and the security guard to collect this half a million dollars, she point blank refuses to give you information and that doesn't cause you to doubt her credibility?---No. I, I - - -

30 If she told you she was leaving her husband and going to America to marry Tom Cruise would you have believed her?---No.

Why not?---In my eyes that wouldn't seem real.

And it wouldn't seem real because it wouldn't accord with the objective facts, isn't that the case?---Yes.

40 So why is this any different?---Because it's been a fair bit of period gone alone that I've put a lot of money into it and I was believing her because I didn't want to believe anything else I guess in my own mind.

But you're just closing your eyes to all of these obviously signs aren't you? ---Not purposely.

MR POLIN: I tender the Commonwealth Bank statement, Commissioner.

THE COMMISSIONER: Exhibit 39.

**#EXHIBIT 39 - CBA BANK STATEMENT OF MR J CAMILLERI AS
AT 24 FEBRUARY 2013**

MR POLIN: You still believe entirely everything she's been telling you?
---Yes.

10 And the case is you still believed that all the way up until December 2013?
---Just prior to - - -

Just prior?--- - - - to the Commission - - -

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

For example you're being asked for the fees from the banks, you're aware
aren't you that when you deposit money in a bank the bank's pay you
interest on the money?---Yeah.

20

What sort of interest do you think you'd be earning on \$90 million
deposited at the Commonwealth Bank at any time?---It'd be a fair bit of
money - - -

Yeah?--- - - - I would have thought.

What would you be, think it might be, getting up to four or \$5 million a year
in interest?---Something like that.

30 Yeah. So what's that, \$100,000 a week or whatever but it's, it's a lot of
money isn't it?---Yeah.

The, the interest on the money over a week would pay any of the fees that
are being suggested wouldn't they?---That's right.

Yet you're saying this dragged on for - - -?---Yeah, and - - -

- - - weeks and weeks and weeks and years and years and years?---Ah hmm.

40 And I take it the money continued to accumulate interest?---Yes.

And the banks - - -?---Were keeping that interest.

Yeah. This seems incredibly unfair?---Yeah, well, I - yes, it is.

Yeah. When did you first, when did you first become aware that ICAC
were involved in the investigation?---When I was terminated at RailCorp

they said they were going to pass on the investigation to - or the story on to ICAC.

Right?---That was it.

And at that point in time you still believed everything your daughter had told you - - -?---Yeah.

- - - about the need for the money?---Yes.

10

Throughout 2013 up till at least the beginning of, sorry, December 2013 you continued to believe - - -?---Yes.

- - - everything your daughter had said - - -?---Yes.

- - - didn't you? And of course right up until that point of time you didn't think you'd ever done anything wrong?---That's right.

20

You've always maintained that you borrowed money personally from friends that you were going to pay back?---Yes.

And there wasn't anything wrong, there's nothing wrong with that?---Yes.

At worst there might be issues at work in terms of whether you should have told people but you'd done nothing wrong?---That's right.

You hadn't been involved in any criminal activity and certainly not a crime at all?---No.

30

And being Mr Probity as you've told us - - -?---Well, that's, I haven't said that, that's what other people have said.

But I asked you at the very start?---I, well, you gave me two choices.

You said yes, you - yeah?---You gave me two choices.

Yeah, two choices, Mr Conman or Mr Probity, you went for Mr Probity?---Of course.

40

Yeah, of course you did. And you would have had absolutely nothing to fear fronting up to an ICAC inquiry would you?---That's right.

There would have been no reason at all while you'd want to potentially destroy any evidence - - -?---That's right.

- - - would there?---That's right.

Think about it?---Yeah.

Can you think of any reason if your version is correct why you would be wanting to be a party to potentially destroying evidence?---I didn't destroy any evidence that I'm aware of.

Because there would be no documents that you would have any trouble explaining would there?---I would think no, yeah.

10 None of these ridiculous documents, you've explained all of those haven't you?---Well, I gave you my interpretation of you.

But you just blindly believed a ridiculous story?---I believed what my daughter was telling me.

Mmm. And you blindly believed it for years and years didn't you?---Yes, yes.

20 When was your property, I think at some stage it was actually raided by ASIO wasn't it?---By ICAC.

ICAC, sorry?---Yeah.

When was that?---I can't remember, I, I honestly don't remember when, was it October, I can't remember.

No. Would be about August - - -?---Oh, you'd have the date there.

- - - 2013?---You'd have the date there, I, I don't know when.

30 Would it be 29 August, 2013?---If that's what's recorded there, I haven't got the warrant in front of me, I can't remember the date.

And what did they come and take?---Everything.

Sorry?---All my paperwork and computers, et cetera.

Right. You wouldn't have been wanting to hide anything would you?
---No.

40 Are you sure?---Yes.

You're aware aren't you that ICAC have got powers to tap phones - - -?
---Yes.

- - - aren't you?---Yes.

Do you recall having a discussion with your daughter the day after your premises were raided by ICAC?---Probably, yes, where we had discussions.

Do you recall having a discussion with your daughter about potentially destroying documentation?---I, she said did you have anything there and I said I have nothing here.

Do you recall discussing with her the suggestion that ICAC wouldn't stop at one raid, they'd come back again?---That's what she said.

Yeah?---I said - - -

10

And do you recall discussing with her going around the house and getting any documentation you can find and burning it?---Oh, I didn't have any documentation.

I'm not asking you whether you did, I'm asking you whether you had a discussion with her about going around and getting any documentation you could find and burning it?---She said something like that, yes.

And you agreed with her didn't you?---I don't know what I said.

20

You agreed that you'd go and find any documentation you could and you'd burn it?---Oh, did I say that? I don't know?

It was going to go into the barbecue wasn't it?---No.

Do you remember telling her to get the documents and put them in the barbecue?---No.

If that in fact occurred why would it have occurred?---I don't know.

30

You would only be doing that if you've got something to hide?---That's right, I've got nothing to hide.

No, because if, if you're telling the truth and you just believed your daughter's story there's nothing to hide?---That's right.

There's no evidence to destroy?---That's right.

40

I just want to play for you then firstly a telephone conversation between you and your daughter that took place on 29 August, 2013 at 3.20pm. It's the day after - - -

AUDIO RECORDING PLAYED

[12.38pm]

MR POLIN: There was then the next call just a few moments later, nine minutes later. We might have to play that after lunch. But can I suggest to

you again that call your daughter said to you words to the effect, "Just fucking take all" - - -

AUDIO RECORDING PLAYED

[12.42pm]

- MR POLIN: Now, sir, would you agree that they're two telephone conversations between you and your daughter?---Yes.
- 10 That took place on 28 August 2013 at 3.10pm and 3.19pm?---Yes.
- The day after the ICAC raid?---Yes.
- Don't tell me that at that point in time you still blindly believed your daughter?---I still believed the story.
- How on earth - - -?---I don't know but I did.
- 20 There's reference to, well you asked at one stage what'll I do with that other item, do I take it over there. What was the other item?---I don't recall what it was.
- Right. Your daughter's telling you to burn, burn, burn, isn't she?---Yeah.
- Find any documents you can in relation to this whole saga and just burn them all?---yeah. And as you probably heard there I said you've taken everything there's nothing here, I don't know what she's on about.
- 30 She's telling you to go back and check and to look. You've obviously identified an item you don't disclose that you say you're going to deliver to her?---Yeah.
- But everything else burn, burn, burn. Why?---I don't know you'd have to ask her.
- I'm asking you you're the other end of the phone?---There's, there's nothing that, that's been shown here that isn't what's been around, there's nothing extra.
- 40 Well we don't know that do we - - -?---No, you don't.
- - - we've just got to accept you?---That's right.
- Right?---That's right.
- But if you've been telling us the truth that you've been believing this story? ---Yes.

You believed it all the way up to the beginning of December 2013?---Yes.

How on earth do you explain those telephone conversations?---I don't know what she was referring to to burn, I have no idea.

10 THE COMMISSIONER: Mr Camilleri, you didn't say to your daughter but Jessica what are you talking about, we need those documents in order to demonstrate that your account of needing these funds is true. You didn't say that to her?---No, I didn't, no.

Well wouldn't that be something that you would say if you were still believing that this was a legitimate course of litigation that she was undertaking?---You could say that but I, I didn't, I believed and I don't even know what documents she was talking about.

Well you didn't say anything to that effect - - -?---No.

20 - - - because you knew perfectly well that the whole thing was a scam and you'd been caught out?---No, no, I did not know it was a scam.

MR POLIN: You would know wouldn't you that it, it would be illegal to deliberately destroy documents that could be relevant to an ICAC inquiry? ---Yes.

Your days as Mr Probity would have told you that wouldn't they?---Yes.

You wouldn't have needed any lecture, any training to know that?---Yes.

30 Your daughter is saying to you in very clear terms whatever you can find burn, burn, burn isn't she?---Yeah.

She's telling you to do something that's illegal isn't she?---yeah. But I didn't do it.

You may not have done it but she's telling you to do something illegal? ---Well she's suggesting it, yes.

40 She's not suggesting it she's telling you?---All right. But I didn't do it.

That's not a suggestion that phone call is it?---Well I didn't do it.

I think she said, asked you if you were fucking stupid didn't you?---Yeah.

And didn't understand it?---Yeah.

She just said burn, burn, burn?---Yeah, and I don't - - -

It's a demand to do it?---Yeah.

She was concerned that there were documents there she didn't want ICAC to get their hands on?---I don't know you'd have to ask her that.

No, no. I'm asking you?---I don't know, I don't know what - - -

You were at the other end of the phone?---Yeah, there was nothing - - -

10 Wasn't she telling you to burn documents she didn't want ICAC to get their hands on?---She wanted - I don't - she was saying that but I don't know what - - -

She told you that ICAC would come back again they wouldn't rest on one raid they'd come back again, that's what she said didn't she?---That's what she believed.

20 Therefore you should go around collect whatever documents you could find and burn them, that's what she said to you didn't she?---That's what she suggested, yes.

Why would she suggest that?---I don't know.

Is there any other reason other than what she had done was a scam?---I don't know.

30 Well if you're correct and the story she'd been giving you was all correct it's all above board why would she be telling you to burn all the evidence? ---I don't know. There was no evidence I'd ever seen expect for what you've tabled here.

In fact in that conversation she said to you in terms of the, she said this. "Tonight just take any papers, burn, burn, burn, that's all you've got to do it's not hard", your answer, "Yeah, yeah", she then says, "Do it now", you then say, "Yeah, we are doing it now, just put everything there and I'll burn it all." See that?---Yeah.

That's what she said?---Yeah.

40 So in fact what you said a moment ago is in fact incorrect isn't it, she was directing you to burn the evidence and you were saying - - -?---I, I don't know what evidence she was talking about, I have no idea what papers. She just said papers, papers, papers, I don't know what she was on about.

She said, "Do it now" and you said, "Yeah", we are doing it now, just put everything there I'll burn it all"?---Yeah, well I didn't burn anything.

Well you're telling her that you're going to?---No, I said I'd get the papers out for her whatever she was, I didn't even know what I was looking for.

Well do you remember even what you've said about early on about the, the ICAC investigation? You said that they come and photo documents, they photocopied everything you said?---Yeah.

10 They wanted you then to participate in a formal; interview that's what they told you. You said that if you could bring in a legal representative that you would then consider it and they said they'd ring on Friday to make an appointment date and that you said, "I'll just turn around and tell them I've got legal advice and I won't go ahead with it"?---And which I did. No, not - -

Well that's what you said isn't it? One point in the conversation you said - - -?---We're not - - -

20 - - - that you told ICAC that if you could bring a legal representative you would consider coming and making an interview?---Yes.

But that was a lie because later on you said I'm just going to tell them, I've got legal advice that I'm not going to go ahead with it?---Because I did get legal advice.

But you didn't, this is in the space of three seconds?---No, I had legal advice not to go to ICAC without, unless you're um, what do they call it, compulsory asked to go.

30 Well why didn't' you tell ICAC when they asked you?---At the time I thought, it's fine, then I was advised later, no you shouldn't do that.

No, no, in the conversation you said, I told ICAC as long as I've got legal representation I'll come along and the same conversation you're telling your daughter but I've already got legal advice and I'm going to tell them, I'm not coming?---No, because she said to me you shouldn't go down with legal, without legal advice. In the meantime I found out with legal advice not to go down unless you're compulsory going.

40 See, you'll do or say whatever you need to do or say now won't you?---No.

To try and extricate yourself from any problems?---No, I'm telling you what the truth is.

Well why would you in August 2013 be a party to destroying evidence?---I didn't destroy any evidence.

Well that's what you tell us?---Yes.

But you were telling your daughter something different because you actually said, you were doing it now, I'm doing it now, you're burning? So what's the truth, what you told your daughter or what you're telling us?--- What I'm telling you.

But there's no doubt, even if we accept all of that, you're daughter telling you to destroy evidence?---She's suggesting it, yes.

10 And you're not disagreeing with her, you're saying, yes you will?---I don't know if it was evidence, she said they're papers, I don't know what was in the papers, yeah I know, okay, all right.

You're agreeing with her that you're going to destroy it?---No, I wasn't going to destroy it.

The only way that conversation makes any sense is if both of you know that the story you've been given is a fabrication, is that right?---No, it's not I believed everything I was told.

20 Okay. Let's assume up until this phone conversation you believed everything you were told?---Yes.

After the phone conversation, what did you believe?---I still believed it.

Mr Probity had his daughter telling him to destroy evidence in an ICAC inquiry.---I don't know what she wanted to destroy, I had no idea what she was talking about.

30 How many ICAC inquiries had you been involved in up to that time?---None.

RailCorp had, hadn't they?---Yes.

You're familiar with the fact that RailCorp has been through several ICAC inquiries?---I personally haven't been, yes.

As Mr Probity, what would you think of someone deliberately destroying evidence that could be used in an ICAC inquiry?---It's not right.

40 It's not right. It would be a criminal offence, wouldn't it?---It's not, yeah, on my understanding yes.

What would you think of your daughter who you have the utmost trust and belief in telling you to destroy evidence that might be used in an ICAC inquiry?---Well, I didn't agree with her.

THE COMMISSIONER: That's not what you said during the phone conversation, you in fact agreed to do what she told you to do?---But I didn't do it.

That's not the point though Mr Camilleri you claim as you sit there that you didn't know what she was going on about and not once did you say to her, what are you talking about, I don't know what you're talking about, on the contrary you agreed whole heartedly with what she was asking you to do. Now how do you explain that?---I did ask – I said what are you on about?

10

No, how do you explain the fact that you agreed to do what she told you to do?---I can't, I can't explain it.

MR POLIN: How can you explain continually blindly believing your daughter and her stories from the point of time where she instructed you – demanded that you destroy evidence up until the beginning of December 2013 – how could you have believed that?---Because she told me everything was true and I don't know what evidence – what she was talking about destroying, I have no idea what she was talking about.

20

What did she destroy?---You had everything as far as I was concerned you took everything I had.

But what did she destroy?---I don't know what she did or she did.

She was obviously hell bent on destroying something though, wasn't she? ---I don't know it sounded like it.

30

Did you sit down with her after this and say, what's going on?---We discussed it and she said, no - - -

Didn't you say, you've asked me to destroy evidence that could be part of an ICAC inquiry, you could probably go to gaol for that?---Yeah.

You'd do more than discuss it wouldn't you?---I didn't know what she on about, I didn't discuss it in any great detail.

40

Did you say, is it the case that all these stories you've been telling me are lies?---No.

Why not?---I don't know if that's the time, I don't know if it was then, August, September, October - - -

No, you've told us quite clearly it was the beginning of December 2013 when you - - -?---She mentioned about the, no she didn't, I didn't think about it, I don't know what she was on about.

After that phone conversation you didn't at any time have a discussion with her to question whether the stories you've been given over the last few years - - -?---I did ask her and she told me again that they were true.

That they were true. Did you do anything else to attempt to verify that they were true?---No I didn't.

Is that a suitable time?

10 THE COMMISSIONER: Yes, thank you. We'll resume at 2 o'clock.

LUNCHEON ADJOURNMENT

[12.57pm]