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INDEPENDENT COMMISSION AGAINST CORRUPTION

PATRICIA McDONALD SC
COMMISSIONER

PUBLIC HEARING

OPERATION EMBER

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 20 MAY, 2019

AT 2.00PM

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

THE COMMISSIONER: Any housekeeping or administrative?

MS WRIGHT: Not at this stage, Commissioner. Mr Hamidi, you gave evidence before the luncheon adjournment that at the Picton Road trial you took down data.---Yeah.

10 Did you operate the equipment at all?---No, I didn't.

Did you set up the equipment at all?---No, did not.

Did you even touch any of the equipment?---I may have, like, touched the camera to see what it is but other than that I didn't operate - - -

And the data that you took down, I think you said it was on a piece of paper?---It was on a spreadsheet, just - - -

20 A spreadsheet.---Yeah.

How did you know that you were to do that?---Mr Soliman told me to just jot down the data as the trucks come in.

And the data was given to you by others. Is that your evidence?---Yes, I'd collect it from what they got from the camera and then what the inspector would get if they doubted it.

30 But it was other people that told you what the camera data was?---Yeah, so I basically just, yeah, was told and I wrote it down.

Now, what did you do with the spreadsheet containing the data that you took down?---I kept it, I had it on a file and I ended up sending it through to Samer Soliman at one stage.

And where did you send it to?---I think it was just his, I think it was, it was one of his email addresses, I can't remember.

40 Where did you send it to?---I think it was just his, I think it was, it was one of his email addresses, I can't remember.

You don't recall whether it was the [REDACTED] personal address or the RMS professional address?---No, I can't recall, no.

Now, did you then issue an invoice?---An issue, an invoice was issued, yes.

Well, if Mr Hamidi could be shown the document at volume 3, page 117A, please. This is an email from your AZH Consulting email address, attaching a document called invoice1.pdf, do you see that?---Yes.

And did you send this email?---I sent this email.

And it's addressed to TSS Invoices. How did you know to send an invoice to this address?---Mr Soliman told me to send it to this address when he sent me the invoice.

10

So Mr Soliman sent you the invoice?---Yes.

Where did you receive it?---It would have been on either my personal email address or the AZH Consulting email address.

You don't recall which?---I don't recall which.

What was your personal email address at this time?---I think it was

20

Now, you have copied this email to Mr Singh. Why did you do that?---He, Mr Soliman told me to just CC him on it.

Did you know why you were, did he give you a reason?---I did not know, no.

And the invoice itself, could we turn to page 117B, please. You've number that invoice RMS001, did you come up with that number?---No. Mr Soliman did.

30

So when you received the invoice from Mr Soliman, was it in this format? ---It would have, it would have looked like this but it would have been in Microsoft Word and I would have converted it to PDF?

So your email attached a PDF version and are you saying that all you did to this document was to convert it to PDF and send it back to TSS Invoices, copied to Mr Singh?---Yes, that's correct.

40

Did you do anything at all to the document before you did that?---I did not do anything else to the document.

What did you understand happened to this invoice?---I thought it would go through to the, to the payment section and then Samer always told me that once he completed the work it would get paid, I suppose.

When you say once he completed the work, what did he say to you?---Well, he said that just send the invoice because it became the, the arrangement, I suppose, was that on the first one he said he would do it because, and then I

would, you know, then he would show me how to do it. It's just easier for him to do it and I can look and see how he did it.

And when you say do it, what are you referring to?---The scoping study.

So this trial, we saw in the quote, required a preparation of a report, is that your understanding?---Yes.

10 And is it your evidence that Mr Soliman said that he would prepare the report for this trial?---Yes, that's correct.

Could Mr Hamidi please be shown volume 3, page 104. You see here a long email chain and at the bottom, going to the bottom of the page, I'm not sure if that can be zoomed in, Mr Soliman has sent to a number of people a placeholder for FLIR thermal camera trial - - -?---Yes.

- - - for Thursday, 2 February, 2017 and you're included as one of the addressees on that placeholder?---Yes.

20 And you said earlier that the trial did take place on 2 February, 2017. ---Yeah.

Was that the only day on which the trial took place?---And the 3rd.

And you returned on the 3rd?---I returned on the 3rd.

30 Now, going to the top email, an email from you to Mr Soliman, "Hi Samer, I'm pleased to let you know that the scoping study or the IMC thermal camera is now completed. Due to the file contents and its size I have sent the all documentation including photos and videos on a USB to you." Did you send to Mr Soliman a USB?---No, I did not.

Then why did you say so in this email?---I was instructed by Mr Soliman to send that email.

40 And what did he say to you?---He told me to send the email saying that you've sent through the document via USB and then that way he would do the, the study in that meantime and then upload it onto their server or whatever process they have.

And you refer there to photos and videos.---Yeah.

Were there any photos and videos that you - - -?---Yes. I took some photos of like, the trucks and a video of the truck going over it.

Now, is it your evidence that you did not ever send a USB containing - - -?
---I never sent the - - -

- - - photos and videos or any report to Mr Soliman?---No.

So when you sent that email do you accept that you were falsely stating that you had sent documentation to him?---Yes.

Now, if Mr Hamidi could be shown page 118, please. This is an email from your wife, Zoe Hamidi, to Samer Soliman of 18 May, 2017.---Yes.

10 “Hi, Samer. Following from our discussion please find attached an email-friendly size version of the scoping study that was mailed to you on 15 March, 2017.” Now, it attaches, and if page 119 could be placed on the screen, a report titled FLIR Thermal Camera Field Trial and Scoping Study. First, did you send that email or did your wife send that email?---I sent that email. My wife had no access to this email address.

Who had access to this email address?---Just myself.

Are you saying you used your wife’s name to send this email?---Yes.

20 Why did you do that?---Mr Soliman told me it would be better if it came from my wife than me, being the director of the business.

THE COMMISSIONER: And when did he tell you that?---It would have been on WhatsApp prior to that, because earlier, as you saw, the emails were coming from me, I’d had the signature, and then it was just best that since she’s the director of the company that the signature had her, her name on it.

30 Did you question him about that?---I asked them why, he just goes, “Because she’s the director it just, it looks better coming from the top.”

MS WRIGHT: But you had signed previously as Operations Manager?
---Yeah, that's correct.

What would be the issue with that?---I’m not sure.

Now, this report attached to this email, did you prepare this report?---I did not.

40 How did you get it?---Mr Soliman sent it to me via email.

And do you recall when he sent it to you?---I don’t recall when. It would have been before that date. Maybe a week before at most. I’m not completely sure.

THE COMMISSIONER: So before you sent the email on 15 March where you say because of its size I’m sending it on a USB to you?---Yes. So it would have been, yeah, after that.

Sorry, so just getting the chronology right, if page 104 was the copy of that email that you sent to Mr Soliman dated 15 March where you say because of its size USB, and then you've just given evidence that you received the study from Mr Soliman - - -?---Yeah.

- - - when would have you received the report of the study?---It would have been around the time that I sent it through to him.

10 So around the 18th?---Yeah.

After you sent that first email of 15 March - - -?---That's correct.

- - - saying because of its size I can't email it to you?---Yes.

MS WRIGHT: I'll just take you to some aspects of the report, Mr Hamidi. Did you read the report before sending it to Mr Soliman?---No, I did not.

20 You didn't look at it at all?---I glanced through it but not in great detail.

Page 121. You see it sets out the purpose of the report?---Yes.

Are you saying you didn't draft any of that?---I did not draft any of that.

30 Over the page, "Thermal imaging cameras such as the FLIR A615 detect and display differences in temperatures by detecting the intensity of thermal radiation." It goes on to say, "You can accurately measure the temperature of more than 300,000 separate points simultaneously." Were these things within your knowledge?---No. I did not write those things.

Section 4, it states that the trial, the thermal footage was captured over two days. You were present during the two days of the trials?---Two days. Yes, that's correct.

THE COMMISSIONER: Is that your photo?---I think it is.

40 MS WRIGHT: How did you provide the photos to Mr Soliman?---I had a Google Drive and I just sent him the link at the time. I'm pretty sure that's how I did it.

So you uploaded photos onto a Google Drive, did you?---Yes.

And you sent him a link to that?---Yes.

And turn to page 128. Is that one of your photos?---That is not.

And page 129. There are two photos of wheels.---No, that would be from the actual technology.

Page 130. A conclusion, “Thermal imaging technology can effectively identify truck brake issues when monitoring the underbody of a passing vehicle.” It seems to be an opinion. Is that your opinion?---That is not my opinion.

And page 134. “In high-speed testing, images from the A655sc were better than those from the A65.” And there’s a whole lot of data set out. Section 8.1. Do you recognise any of that data?---No.

10

And then it goes on to talk about a misconception about image frequency impacting high-speed thermal image capture. Is any of this content anything that you ever - - -?---No.

- - - conveyed to Mr Soliman?---No.

THE COMMISSIONER: Could we go to page 125, please. Now, 5.3, the image analysis.---Ah hmm.

20

The images there, is that the sort of information that was being generated by the vendor’s camera?---Yes, that’s correct.

Right. And above in 5.2 Table of Results, did you have any, does that contain any of the data that you wrote down?---It doesn’t look like it, because I was just capturing temperatures and axles.

All right.---That was it.

30

Now, Ms Wright took you through the document, can you see any, other than I think you identified the photo on page 122 and there might have been another photo of yours on 123?---Yeah, maybe.

Is there anything else that you can identify in the report - - -?---That I did?

Yes.---No.

MS WRIGHT: Now, you were paid, or AZH was paid by RMS for this trial?---Yes, that’s correct.

40

And is it your evidence that apart from attending at the trial on Picton Road for two days and following instructions to note data given to you by others and taking some photos, that you didn’t do any of the work itemised on the scope of works on the quote that we saw earlier?---Yes, other than attending those two days, I did nothing else.

And how would you describe the work that you did? Would you agree with the description that it was a superficial involvement?---Yeah.

And when you submitted the invoice to RMS, you did so so that payment would be made?---Yes, that's correct.

And why is it that you thought that you would be paid for being only involved in a very small way in the trial?---Because it was, it wasn't, essentially it wasn't my, me getting paid, it was Mr Soliman getting paid.

10 When you say that, what do you mean by that?---That like, the agreement kind of changed during that time where he was like, I'll teach you to, you just send the emails, I'll do all the work and, you know, that would be the arrangement.

MR YOUNG: Well, I object to that because this is in relation to a very particular transaction.

THE COMMISSIONER: Mr Young, I was about to ask some more questions about that, but I'm cutting across you, Ms Wright.

20 MS WRIGHT: That's okay, Commissioner.

THE COMMISSIONER: Were you going to pursue some questions about that?

MS WRIGHT: In light of the answer, yes, yes, but I'm content for you to do it, Commissioner.

THE COMMISSIONER: No, no, no.

30 MS WRIGHT: You said that it wouldn't be Mr Soliman, sorry, it wouldn't be you being paid, it would be Mr Soliman being paid.---Yes.

I'm just asking you about this particular time for this particular trial.---Yeah.

At this stage you've submitted an invoice - - -?---Ah hmm.

- - - which I took you to, to RMS and you were expecting that RMS would pay that invoice - - -?---Yes.

40 - - - into AZH bank account, would you not?---Yes, that's correct.

And that would be money obviously - - -?---Yeah.

- - - available to AZH?---Yes.

And what did you – my original question was, why did you expect to be paid, given that you'd only been involved in such a superficial way where you didn't even draft the scoping study report?---Because Mr Soliman did

all the work and he was basically, like I said, it was him getting paid essentially, not me.

And you expected him to arrange for payment of the invoice internally at RMS?---Well, I, I, well, there was, you submit the invoice, I assume that when work gets done they get paid, in most companies that's how it works, so when they paid I made the assumption that he completed the work.

10 But you expected that he would arrange for the invoice to be processed and payment to be made?---Yes, essentially, yeah.

You also copied the invoice to Mr Singh. Did you believe that Mr Singh would cause the invoice to be paid?---I'm not sure. I was just instructed to do so and I, and I just did - - -

What role did you think Mr Singh had in relation to the invoice?---I don't think he had any kind of role other than just doing his job.

20 Now, you talked about you thought Mr Soliman would get paid?---Yes.

But the money was going into AZH bank account.---Yes.

So why do you say that Mr Soliman would get paid?---Because the, like I said, the arrangement was that he would get 75 per cent of whatever went into that account.

THE COMMISSIONER: Maybe we can explore that.

30 MS WRIGHT: When was that arrangement arranged? When did you come to that agreement?---That was when he first approached me at my house and when I asked them the questions about it and he, like, like, said then, was, you know, I asked them like how would it work, he said, until, I'll train you up and then once you're trained, it's all yours but for now, while I show it, it will be 75 per cent me and 25 per cent you.

So he was the person who suggested the split, 72/25?---Yes.

And do I understand correctly that he would get 75 per cent?---Yes.

40 And did you discuss with him how those payments were to be made?---He said that the payments would have to be made in cash.

And was anything else said about that?---No.

THE COMMISSIONER: Can I just ask you, I'm looking back at my notes of the initial conversation at your house where he said at the start I'll take 75 per cent of the earnings, and I think you said something about because I'm training you or something like that. What training did Mr Soliman give you

during this first scoping study trial?---He didn't and that's when it kind of changed to him just saying, look, I will just do everything, I will get the work done and you just send the invoices and the quotes.

Did you actually have a conversation with him where he said that or how - -
-?---Yes.

And when was that conversation?---It would have been early 2017.

10 Where did the conversation take place?---I think it was just on WhatsApp.

All right. I'm not really great with WhatsApp. WhatsApp's a tech thing?
---Yeah, so it's an IP-based instant messaging app.

All right. And you discussed via this app – I'm sorry, I withdraw that.
You've given evidence before that some of the instructions or directions you received from Mr Soliman came via this app?---Yes, that's correct.

20 And, what, you'd also discussed with him on the app, payment?---Yes.

And also what work was being done?---Yes.

And your recollection is that sometime early in 2017, I think you said something along the lines of it was no longer a matter of being trained but Mr Soliman would do the work?---Yeah, so he told me that it's just easier if he does all the work and if I just send the invoices and the quotes when he sends them to me.

30 MS WRIGHT: Why were you using WhatsApp?---Just, we, that's the messaging app I used before, always, kind of with everything because we have a lot of groups chats and yeah.

When Mr Soliman was messaging you with some instructions, were they in group chats or in - - -?---No, just between me and Mr Soliman.

Communications only between you and Mr Soliman?---Yes.

40 But why WhatsApp? Why not the telephone or - - -?---Just, it was just easier. I suppose as a generation we just message each other so, and WhatsApp is kind of the most popular app.

Now you said - - -

THE COMMISSIONER: Sorry, just very quickly. And before you started doing this work through ANZ, had you been messaging each other usually through that?---Yeah. So we'd always message each other through WhatsApp.

MS WRIGHT: In the initial stages, Mr Soliman has said that he could train you. Did you ever show Mr Soliman a draft document or report?---No. So that was the time when he said it to me, I said, well, I've collected the data, can we sit down and show me, like, what I have to do and he just said, well, it's, let me do the first one and then you can see from there and then it became, just, "It's easier if I do it."

So he never gave you any guidance how to draft any scoping study report?
---No.

10

Or how to prepare any invoice or quote?---No.

Could Mr Hamidi please be shown volume 3, page 179. This is an email from Mr Soliman to you, dated 26 April, 2017, and it lists five trials, trial 1, trial 2, trial 3, trial 4, trial 5, and you'll see trial 1 appears to be the trial that I've just taken you to, which is the thermal camera trial. Do you recognise this email?---Vaguely, yeah.

20

Now, what do you understand or what did you understand this email to be about?---That this was the trials that he, I think at the time maybe we quoted for already or planning on quoting for.

But it contains some information about each trial. Why was he emailing you? What was your understanding of why he was emailing you about the trials?---I was just, for me, I always took it as just the details of what's coming up or what's, what's happened already.

30

So trial 1, trialling the IMC thermal camera at Picton Road et cetera, "Excellent efficacy, 80 per cent hit rate." Why would he be emailing you about a trial that was in the past?---I'm not sure.

40

The email I took you to of 18 May, 2017 a moment ago, which attaches the scoping study, that was at page 118 of volume 3, that email was sent by you as Zoe Hamidi. You say after the email of 26 April from Mr Soliman about the five trials – sorry, that might have been confusing but do you understand the sequence? You received this email from Mr Soliman setting out information about five trials and then subsequent to that you've sent a scoping study report to Mr Soliman about the first trial. Is it possible that this email from Mr Soliman is setting out information to assist you to complete a scoping study report?---I highly doubt it. There is not enough, you know, information there to, you know, fill out a scoping study as you saw how detailed the document is.

Now, I'm going to take you to another of the projects, page 140 of volume 3. This is an email, second in the email chain is an email from you to Mr Soliman of 18 January, 2017 submitting a quote for the field trial and scoping study, SICK high-speed dimension scanner, and the quote is at page 141. See you've sent that quote?---Yes.

You agree you've sent that?---I sent the email, yes.

And the quote at page 141 appears to be similar to the quote for the thermal camera study and prepared by Zoe Hamidi. Did you prepare or did your wife prepare this quote?---No, we did not.

How did you receive this document?---Mr Soliman sent me that quote via email.

10

The scope of works includes a field trial, a scoping study, and it sets out field trial requirements such as gantry-mounted, adverse weather conditions, vehicle speed limitations and dimension accuracy measurement, the scope of works also includes engineering design and fabrication of mounting brackets, provision of an appropriate gantry or pole, mechanical installation, power supply, network connection, and fifthly a report on results. Now, first did you attend any trial associated with this quote?---I'm not sure, I think there was one of the three, but - - -

20 But you did attend a dimension scanner trial?---Yeah, the dimension scanner one, so, yeah.

Where was that trial?---I think the dimension scanner was at Marulan.

Marulan. Okay.---Marulan.

And did you do any fabrication in relation to that trial?---No.

30 Or any mounting of brackets?---No.

Or did you provide an appropriate gantry or pole?---No.

Did you prepare any scoping study?---No.

Do you know what SICK is or means?---SICK I think is the vendor that creates the camera or the, the technology.

Did you have any experience with a high-speed dimension scanner?---No.

40 Did you know what that is at the time?---At the time, no, not until I asked them what it was.

At the trial, and assuming this is the trial at Marulan that you attended - - -?
---Ah hmm.

- - - did anyone provide any of those items to your observation?---No.

The gantry pole?---The Marulan one was already set up and was plugged into a laptop and it sent the images through to the laptop.

THE COMMISSIONER: Sorry, when you say already set up, the equipment was already installed, was it?---The equipment was already installed.

10 And so what was your role when you attended the site?---It was just, so the same thing, so basically checking the, the technology against the manual stuff, so manually measuring it to see how it measured up against the technology's measurements.

So again the installed equipment would just generate data - - -?---Yes, that's correct.

- - - that was then provided to you?---Yes.

20 And then the comparison with the manual measurement, that was a matter of the inspectors undertaking the measurement and again informing you that - - -?---That it - - -

- - - the result was X or Y.---Yes.

And then you recorded it.---Then we would record it.

30 MS WRIGHT: And that was a quote for \$29,000. Did you ever have any conversations with Mr Soliman about how much AZH could quote or be paid by RMS for each trial?---He once told me that they wouldn't go over like, 30,000.

THE COMMISSIONER: And how did he tell you that, was that in person or - - -?---Yeah, that, I think that was in person. He said that these were just small projects.

And at the time you're still employed at Optus?---At the time I was, yes.

And you've got your e-commerce project also operating?---Yes.

40 So if you attended the site did you just take leave from Optus?---I took annual leave, yeah, from Optus.

MS WRIGHT: Now, Mr Singh sent to you some purchase order numbers from the RMS system in relation to trials that you were invoicing RMS for. Do you recall that?---Yes, I think so.

If page 106 could be shown, please. Thank you. Do you see an email chain. At the bottom Mr Soliman says, "Hi, AZH. Here are the PO numbers for the six POs we have opened with AZH currently."---Yes.

“Please make sure to reference the PO number in all invoices.” Sent to TSS. But is it your evidence that all the invoices were created by Mr Soliman and sent to you?---Yes, that's correct.

You've written back this time to Mr Singh saying, “I haven't been receiving PO numbers from (not transcribable).” Do you see the second-last email on page 1?---Yes.

10 And then Mr Singh replies that the system has, manager@AZHconsulting is the contact email and asks you haven't been receiving purchase orders and then you respond, “No, I have not received any of the PO.” And Mr Singh then sends you purchase orders. And then at page, and you can see from that email there's attachments.---Yeah, attachments.

And page 116 is a purchase order. Now, if that could be rotated. Page 116. You see it refers to the SICK FPS scoping study?---Yes.

20 THE COMMISSIONER: So was your understanding you were supposed to put in a quote and if the quote was accepted it would be indicated by a purchase order?---Yes.

And the importance of the purchase order is that it would give you some kind of reference number that would then be included on the invoice? ---Yeah. So I would normally use the purchase order number when, kind of when I had it, would be in the email to, when I sent through the invoice so it was apparently like quicker to reference if there's - - -

30 It's like a reference identification point?---Yeah. That's correct.

MS WRIGHT: And you can see the order number in the top right-hand corner there.---Yeah.

40 And then if page 145 could please be shown. This is an email from Zoe Hamidi attaching an invoice, invoice RMS002, and it includes that purchase order. Sorry, page 146. Includes the purchase order reference which Mr Singh had sent to you. But do you maintain your evidence that you didn't prepare any invoices at all?---I didn't prepare it. I was, I was instructed by Samer to ask for the purchase order numbers because he asked me was I getting them and I said no and he's told me to follow it up and that's what I did.

And you have no knowledge of your wife sending this invoice?---My wife does not have access to it. She does, she's not privy to any of the information. Half the, most of the stuff I'm telling today, she had no, no idea about.

THE COMMISSIONER: Was she working at the time?---She was working part-time. My wife – yeah - - -

Doing what?---She’s just, like, a sales consultant, she had my son the other time of the week and at the time we were going through fertility treatments as well.

MS WRIGHT: And you’re aware, Mr Hamidi, that your wife’s name is on numerous documents?---Yes.

10

Are you trying to protect her from the Commission’s investigation?---No. She honestly has no idea about most of the stuff that’s happened until I told her about it after everything.

On this email – I’m sorry, I apologise. I still have a question about this email at page 145. You bcc’d Mr Soliman on that email. You’ve cc’d Mr Singh but bcc’d Mr Soliman. Why did you do that?---He asked me to, to keep him in the loop when I sent it.

20

Did he use that expression or a similar expression?---Yeah, a similar expression just to, so it was like confirmation that I’d sent it.

And then if we could go back to an email we’ve seen a couple of times which is at page 179, or perhaps once before. This is the email listing the five trials which Mr Soliman sent to you. Do you see how it says that trial 2, which is the SICK high speed dimension scanner trial has not started? ---Yes.

30

Yet you sent an invoice the following day, we just saw, on 28 April for doing the trial and the scoping study. Do you need to see that invoice again?---No.

So Mr Soliman appears to be telling you the trial has not started and yet you invoiced RMS for it.---Yes, I was instructed to send the invoice and I did. I don’t know what this email really meant when he sent it to me.

40

Did you not think but hang on, I haven’t done any work?---Like I said, yeah, the arrangement was, with him, it was, he was the one doing the work, I was just sending the, the emails.

Knowing that the money would come into the AZH account?---Yes, that’s correct.

Now, at page 150, you will see that there is an email again from Zoe Hamidi attaching a scoping study for the SICK FPS which is the free-flow vehicle profiling system scoping study found at page 151 and that report is dated 1 May, 2017, and if we could pass through each page of the report, please, if possible. You see on page 154 there’s data, a lot of data set out there about

vehicle numbers, length, width, height, comments, such as, "Difficult to measure manually," in the first row. Did you collect any of that data?--- Yeah. I think this is from one of the trials I attended.

Okay. So you recognise that.---Yeah.

Did you prepare this report?---I did not prepare the report.

10 And what data did you collect at this trial?---I'm pretty sure it was the FPS data and the manual measurement.

THE COMMISSIONER: And FPS was generated by the equipment?---Yes, by the equipment.

And then the RMS manual measure, as it suggests, was the inspectors? ---Inspectors, and in one of them they kind of just gave us the, the rods to, kind of the measuring tapes to measure it up.

20 So you, on this one - - -?---Some of them, yeah, I can't remember which trial it was, but on one of them, like, we measured it as well, because it was just a measuring tape and, yeah.

MS WRIGHT: And is that the manual measuring?---Yeah, so there was the manual measuring.

So you did some of the manual measuring at a trial?---Yes.

30 At more than one trial or only one trial?---I think it was just the Marulan one.

THE COMMISSIONER: Sorry, is this, I'm getting confused. This appears to have occurred at Twelve Mile Creek.---This one?

Yes.---Okay, so yeah, this one would have been - - -

If you look at page 153.---Yeah. So yeah, we did the, if this is Twelve Mile Creek, yeah, we did some of the measurements.

40 Okay.

MS WRIGHT: And the data generated by the equipment, did you operate the equipment?---No, the vendor was there at Twelve Mile Creek.

And did you collect that data or was it given to you?---We collected it with the vendor together because they were trying to fluff up their numbers at the time to bring it more accurate, so we kind of worked at it together so no one was, yeah, so we all worked off, like, the one spreadsheet.

THE COMMISSIONER: And, sorry, when you say we, who are you speaking about?---Me, Jai was there and then the vendor as well.

All right. So was that a matter of – does the equipment generate like raw data?---Yeah, like raw data and say the height is this and the length is this and the width is this and then we would go measure it and, you know, they would obviously want it to come in pretty close to what the technology measured it so that it looks more accurate, so - - -

10 All right. And on that page the comment, for example, “Height difficult to measure manually, width, noise point,” did you generate those comments? ---Some of them were, because there was like, if the load of the truck was high or something like that it became hard to measure if it was right in the middle of the truck.

So the comment for example with vehicle 001, “Height difficult to measure manually,” might have been something that you noted?---Yeah, noted, all of us kind of would have added to it, yeah.

20 So it’s a bit of a collective exercise from what you’re saying?---Yeah, that one was, yeah.

MS WRIGHT: And was it noted on the spreadsheet or how is it noted? ---Yeah, it was just noted on the spreadsheet.

Who had ownership of the spreadsheet?---I think at the time we did it on the vendor’s spreadsheet, on their laptop, because the data was coming directly into their laptop.

30 Was Mr Singh present?---Yes, he was.

And was Mr Soliman present?---Mr Soliman was not present.

What was Mr Singh doing?---He was there managing the, the vendor, doing the measurements, dealing with the inspectors, he was kind of running it.

He was running it?---Yeah, he was, yeah.

Coordinating people?---Coordinating it, yeah.

40 Right. And at the end of the day, was this a one-day trial?---Twelve Mile Creek I think was three days.

Three days. At the end of the three days did you hand over any data to anyone or any document or who had - - -?---No. So the vendor, I think the vendor had it or Mr Singh had it and then they sent it out to everyone.

When you say they sent it out to everyone, what do you mean?---Just an email with like the, the link to the drives I'm pretty sure, or just the spreadsheet, I'm not 100 per cent sure.

Did you receive that email?---I think I did. I would have received it.

And when you said everybody received it, that was you - - -?---The vendors, Mr Singh, yeah.

- 10 Did you have any conversation with Mr Soliman about how the scoping study reports would be prepared?---I asked them if he was doing them.

And what did he say?---Yes, he said he was, he was finishing them and then he was uploading them into their, like, document server at the RMS and they were always, I always used to ask him was the work getting done and he would always say yes.

- 20 Were you concerned that AZH was being paid and yet you weren't preparing the work yourself?---Yeah. It was, like, if the, I wasn't, it was just the work not getting done, that's what I was concerned about.

And did he tell you that he was preparing them?---Yeah. So he told me that he was completing the work and the work was being completed.

And uploaded onto the RMS system?---Yes.

When did he tell you that he would be doing them?---I used to ask him quite frequently, so - - -

- 30 Did you ask him in person or via WhatsApp?---In person, I would ask him.

And was that from the start of the work?---It was from when, like, the arrangement changed to him just doing it, I would ask him, like, every time that the work came through to the invoice was getting sent, I would say, "Hey, is the work done," and he would say, "Yes."

Did you ever come to learn that Mr Soliman had not been doing the reports?---Yes.

- 40 And when was that?---It was after he was raided by ICAC.

Well, we'll come to that down the track.

THE COMMISSIONER: Are you about to leave that report?

MS WRIGHT: Yes, Your Honour.

THE COMMISSIONER: Could we just go to page 162, please. That appears to be a statistical analysis of the results with a particular measurement width. Did you generate any of those?---No, I did not.

Have you got any statistics skills?---To do something like that, I wouldn't even know what that means.

10 And could we just jump to page 165, please, which again seems to be looking at some statistical analysis of the data. Did you prepare that?---I did not prepare that.

And do you understand it?---I understand. That's just talking about variances and, you know, must deviation from, just a simple kind of graph, yeah.

20 MS WRIGHT: And perhaps while we're there, at page 164, Mr Hamidi, the conclusion of the report which says, "Final results indicate that the FPS is operating within accuracy specification for length, width and height. However, the comparison data for width measurement proved to be unreliable do to the fact, as mentioned above," et cetera. Was that an opinion that you ever conveyed to Mr Soliman or anyone at RMS?---It was, I think, a shared opinion from anyone that was on that trial, that it just wasn't accurate enough but I did not write that conclusion in that document.

Now, there are about 14 projects but is it your evidence that you did not create any of the quotes or invoices or scoping studies for any job RMS paid AZH for?---Yes. I - - -

30 But where there are emails from AZH, you agree that you submitted the documents?---Yes.

But is it the case that they were all provided to you by Mr Soliman, is that what your evidence is?---Yes.

And when you submitted them you knew that, that is when you submitted the invoices and quotes you expected that Mr Soliman would be submitting them internally for payment to AZH?---Yes.

40 And you did that knowing that AZH had not - - -?---Carried out the work. - - - carried out the work?---Yes.

Except insofar as you've described two trials. You said you attended a third trial.---Yeah.

That was the Marulan trial.---Yes.

Was the work that you did at the Marulan trial as extensive as what you did at Twelve Mile Creek?---It was, yeah, just pretty much the same but there was no vendor so it was just Jai and I that did all the measuring and all the testing.

So Mr Singh was there?---Yes.

10 And you did some measuring of trucks or what did you do?---Yes, it was trucks. So we basically asked inspectors to pull trucks over for us. They would pull them over. They would go up to the driver, get their logbooks and we would measure the truck while the inspectors did that.

What were the inspectors doing?---They were checking the logbooks of the drivers to I think check their brake times and like just like the general like safety stuff that they would do. We'd measure the truck. Most of them that they pulled over we knew they weren't going to be like red flagged or anything because we were just checking the, you know, to see if the measurements came in with the technology.

20 THE COMMISSIONER: And what particular piece of technology were you using there?---This was a dimensional scanner I'm pretty sure when it gave us like the, like a full image of the, the vehicle. So if it had like a bulging load or something it would pick it up and then I think the technology's point was if it came outside of the requirements it would red flag it and then on the weigh stations it would tell the truck driver to come in.

30 So that document, page 174, talked about a TIRTL-LTI dimension scanner integration at Marulan heavy vehicle (not transcribable) - - -?---I think that might be, yes, they call it TIRTL.

That might be it?---Yeah.

Okay.---Yeah.

40 MS WRIGHT: Who operated the dimension scanner? Was it you or Mr Singh?---It was Mr Singh. So it was already, he had it installed into his laptop and he just basically connected to the ethernet port and then it would connect to the technology and he was, yeah.

What did you do?---And then he, they, they would pull the trucks over and then we would measure the trucks and again would, you know, compare the technology to the actual measurements, manual measurements, and see what the variation would be.

Did you take manual measurements?---Yes.

And Mr Singh operate the equipment?---Yes. So me and Mr Singh both took manual measurements, because the, basically once the truck came in it would just send the image and the details onto the program, then we'd measure it, take down both the readings and apply it into a spreadsheet.

THE COMMISSIONER: And did you have custody of the spreadsheet after the trial was over?---I'm pretty certain Mr Singh sent it through to me.

10 And then what did you do with it?---I forwarded it, I would have sent it over to Mr Soliman.

MS WRIGHT: Did you ever mention to Mr Singh that Mr Soliman was preparing the reports coming out of these trials?---I never mentioned it to him.

Why not?---Mr Soliman told me not to.

20 THE COMMISSIONER: And was that orally or via WhatsApp?---That was in person. He was just like it's, just, this is just between you and me, because he told me at the start it was like, unethical, what we were doing.

It was, sorry?---It was unethical.

Did you consider it unethical, Mr Hamidi?---Yes, I did.

And did you consider at all ever that you were deceiving Mr Singh?---Yes, I wasn't being truthful to him, no, yes.

30 MS WRIGHT: Was there ever any occasion when money came into AZH's bank account where you had not even seen the invoice? That is, Mr Soliman hadn't seen one - - -?---No.

- - - and you hadn't submitted one?---No. So they were all, all submitted, the invoices.

So you were expecting payment on each occasion because you'd submitted an invoice?---Yes.

40 So in other words there was no, there was not ever an understanding between you and Mr Soliman that he would create invoices and submit them on AZH's behalf even if he hadn't first given them to you to submit? ---Yeah, so he never, everything funnelled through that email account.

Everything funnelled through you and then back to RMS?---Yeah, yeah.

Now, I'll just take you to page 249 of the same volume, please. Now, this is an email from Mr Soliman to you, copied to Mr Singh. The subject title is "Request for quote, Houston Radar field trials and scoping study." And he

says, "Thanks for meeting last week to discuss the requirements of this upcoming field trial and scoping study for radar technology." Did you ever meet with Mr Soliman about the requirements for such a trial?---No, I did not meet with Mr Soliman to discuss this trial?

And did you ever attend RMS premises at all?---No.

10 He's asked for a quotation for the requirements. He says he specified and he set out in that email the requirements to accurately detect lane speed, class of individual vehicles, et cetera. You can see there.---Yes.

And then at page 250, the following day, in the name of Zoe Hamidi, an email submits a quote to the effect "After our discussion and reviewing your requirements for the Houston Radar vehicle scanning technology." So that was a lie, I take it?---Yes.

There had been no discussion.---There had been no discussion.

20 And the quote, RMS09, which is at 252, you submitted that quote as an attachment to the email I just took you to, is that the case?---Yes.

And that quote sets out the requirements which you'll see mirror the content of the email which Mr Soliman had sent you the day before. Lane speed, class of individual vehicles, et cetera.---Yes.

Did you look at this quote?---No, I just basically just forwarded it. I would convert them to PDF and forward them on.

30 Pretending to be your wife?---Yes.

It's a bit strange, isn't it, to pretend to be your wife?---She's the director of the company.

But at times you've sent emails - - -?---At the start, yes.

- - - from you. Well, you say it's only at the start, do you, where the emails are from your name?---Pretty sure. Most of the ones I sent were from, yeah, with my wife's name on it.

40 And you sent the email back. If I could show you the document at page 262 first. This is an email from Mr Soliman, using his RMS e-signature, to AZH Consulting, attaching an invoice, and you can take from me that the attachment is the next document, which is at page, sorry, 263 for RMS invoice, invoice RMS009 for the Houston Radar field trial and scoping study for overlength vehicle detection at Galston Gorge. What did you do with that invoice?---I would have just forwarded it, sent it through to the RMS.

And AZH was paid that invoice, the records show, on 5 June, 2017. Did you attend any field trial at Galston Gorge or elsewhere - - -?---I did not.

- - - in relation to a Houston Radar length detection system?---No.

At page 264 a similar email from Zoe Hamidi to what we've seen before, but relating to the Houston Radar trial saying that the documentation and photos and videos would be sent on a USB. Did you ever send a USB to Mr Soliman containing photos or videos?---No. So that one was just, I was
10 instructed by Mr Soliman to send that email and I did so.

THE COMMISSIONER: And how was the instruction given?---Just on WhatsApp.

MS WRIGHT: Did you ever see a scoping study for this field trial?---No, I did not.

Is this one where you expected Mr Soliman to prepare it himself and put it onto the RMS system?---Yes. So these are all the ones that he would say
20 he'd completed and uploaded into their system.

And the records show, perhaps just quickly if they could be brought up, page 241 and 279 after that - - -

THE COMMISSIONER: Sorry, which pages?

MS WRIGHT: Sorry, Commissioner, 241 and then after that I'll ask that 279 – a similar email, Mr Hamidi, saying this is a scoping study for, it's a
30 different trial, the thermal and cold camera for automated break and tyre screening, and due to the size, "The file content and size I have sent all the documentation, including photos and videos, on a USB to you." And then at page 279, and that's noting it's the same date, 19 May, 2017, and on the same date again at page 279, an email saying that, "A scoping study for the heavy vehicle safety crash analysis and tends is now completed. Due to the file content and size I have sent all the documentation, including photos and videos, on a USB to you." So again for those two other matters, so that's
40 three emails on 19 May, 2017, Houston Radar, thermal camera and heavy vehicle safety crash analysis, where you've said that you sent the documentation on a USB.---Yes.

And in fact you didn't?---No.

And was this email, to your knowledge, Mr Soliman knew that you hadn't sent that information by USB.---Yes, well, he instructed me to send this email.

But what did you understand the purpose of doing that would be?---He just said it was just too big and he would just upload it in their systems.

He would upload it into the system?---Yeah, he would just say it was just, like, to close off like, the, the work by sending an email, this email.

In other words, send the email, don't actually send the work to me - - -?
---Yeah.

- - - but pretend you've sent the work.---Yes.

- 10 To create a pretence by creating an email on the RMS system which suggests that the AZH has done the work and sent it to RMS?---Yes.

THE COMMISSIONER: So the examples that Ms Wright's just taken you to, there's about three, your role was really in a sense administrative, that you would be sent some documents, convert them, for example, for quote or the invoice, you'd be sent those and you'd convert them into a PDF document and send back?---Yes.

- 20 You would then be instructed via WhatsApp with the standard, "Pleased to let you know, I finished it, it's big. I'm mailing it"?---Yes.

You'd send the email then money would come into the AZ account?---Yes.

And for these ones, you're not even attending a site with your clipboard or taking any measurements?---No.

As I said, it's kind of purely an administrative, in a sense, being a bit of a mailbox?---Basically, yes.

- 30 And sorry, just to confirm. I'll just be a sec, Ms Wright. And any idea that you were going to be trained by Mr Soliman, has that just completely disappeared?---By that point, yeah, it was, after the first trial, it was like, I knew I wasn't going to get trained or anything, into it.

MS WRIGHT: Could Mr Soliman please be shown page 284A. Now, this is an email from Mr Singh, "Hi AZH," dated 5 July, 2017, attaching a request for quote for future RMS field trials. Do you recall receiving that email?---Yeah.

- 40 And what did the request for quote say?---I can't remember. I've never, I've never really opened these. At this point I was just waiting for their, RFQ would get sent and I would just wait for Mr Soliman to send the quote and I would send it.

You didn't always receive a request for quote, though, did you?---No.

When did that start?---I think it was around, yeah, mid-2017 and then once they got on the panel there was always an RFQ.

And before you were on the panel, such as this email where you received a request for quote, did anyone ever tell you why you were now receiving an actual request for a quote?---No.

But it was a change which occurred in the process, was it, you noticed?
---Yes.

10 All right. And then you've responded thanking RMS for the quote. You've said, "Hi RMS." Is there a reason why you and Mr Singh didn't use each other's names?---Oh, no. There was no particular reason.

You weren't trying to cover your friendship at all?---No, no.

Well, previously you'd said things like, hi - - -?---Yeah, I'd said Jai. I think maybe I just took it off the pretence where they were kind of emailing me as AZH, so I'd reply RMS.

20 And you've responded with a an attached quote, RMS11, and you've done that seven hours after Mr Singh's email requesting a quote.---Yes.

And the quote is at 284B. How did you get this quote to submit?---It was sent through by Mr Soliman.

From which email address to which email address would he have sent that?
---I couldn't remember. I think it would have been from his private one to my private one perhaps.

30 THE COMMISSIONER: And sorry, his private one is [REDACTED]?---Yes.

And what's your private one?---It was the [REDACTED].

MR YOUNG: Sorry, could we just have that again. I just missed - - -

THE COMMISSIONER: Sorry, your - that was your, sorry, Mr Hamidi's private email address.

MR YOUNG: I know. I just, I just couldn't hear the email address.

40 THE WITNESS: Yeah. It's [REDACTED].

THE COMMISSIONER: [REDACTED].

THE WITNESS: [REDACTED].

THE COMMISSIONER: Thank you.

MS WRIGHT: Did you discuss the figure of \$48,750, excluding GST, with anyone?---No.

This was a scope of works for ITS technology HAENNI, if I'm pronouncing it correctly, dynamic portable scales. Did you know anything about portable scales?---No.

Do you know anything about the brand?---No.

10 Now, you responded to Mr Singh within seven hours of receiving his request for quote. To your knowledge, did Mr Singh know that Mr Soliman had provided you with a quote in the interim?---I don't think Mr Singh knew Mr Soliman was providing me with quotes.

And is it, perhaps to clarify, is it the case that Mr Soliman sent you the quote in that seven-hour interim period or had he given it to you some time before that?---It could have been prior to that.

20 When you replied to Mr Singh here, that's at 204A, attaching the quote, did you feel that you were deceiving your friend, Mr Singh, at all?---No, I never really thought of it like that. It just became, as the Commissioner said, it was like an administrative task for me.

Well, it was more than administrative. You were essentially defrauding the RMS, weren't you, Mr Hamidi?---Yeah. Essentially, yeah.

And Mr Singh was someone that you were friends with for some time before this.---Yeah.

30 You were close friends, weren't you?---Yes.

And is it your position that Mr Singh had absolutely no idea of what you and Mr Soliman were doing?---I don't believe so.

THE COMMISSIONER: And why do you say that?---Mr Singh, it's just his character. He's very, you know, he's the type of person that would just, if, like, if he's boss told him to do something, he would just do it. He wouldn't ask questions. He's, he's a nice guy. He's, yeah, he's very mellow and, yeah.

40 And you never had any discussions with him about, you know, receiving the invoices from Mr Soliman and converting them and sending them across?---No.

You never spoke to him about at least the first two or three scoping studies, that you didn't draft them?---No, I never had any kind of discussion like that with him.

MS WRIGHT: And then in relation to this HAENNI dynamic portable scale trial, if Mr Hamidi could be shown 293A. Thank you. Here you've sent an email, or Zoe Hamidi's sent an email, saying, "Hi, RMS. I'm happy to advise that we have secured a field trial location and period for the technology and will be commencing this week." Who sent that?---So, it was sent through by Mr Soliman and then I would convert it and then send it through.

10 Mr Soliman sent it to you how?---He would normally send it through my, to my private email address.

And how did you get it into an email to his RMS address?---So the instructions would be to send it to him.

And how did you do that?---Via email.

How did you - - -?---So I download - - -

20 - - - get his email into a new email to RMS?---I download the attachment and just compose a new email.

I see. But the body of the email is what I'm asking you about, where he says or where Zoe Hamidi, but you say it's you - - -?---Yeah.

- - - said, "I'm happy to advise that we have secured a field trial location" - - -?---Yes.

30 - - - "and will be commencing this week." Where did that content come from?---I was instructed to - - -

Yes?---Yeah, so the body was instructed by, Mr Soliman instructed me to write that in the email.

Did he send that content, the body of the email, in an email to you?---No, it would have been just on WhatsApp.

So he sent you the invoice by email?---Yeah.

40 And then in WhatsApp did he send you an instruction - - -?---Yeah.

- - - to send an email saying - - -?---Yeah. He would say, I've sent you this, write an email saying this.

Did it make sense for him to split it up, that is, send you part of the instruction in WhatsApp and then send you an invoice by email?---No, because when you, when you're normally drafting a document you kind of just, once you finish it, you can just write send to, and it'll just send it straightway. I gathered that's how he was doing it.

And so you typed up this email?---Yeah.

And do you say you based it on the content of a WhatsApp message that he sent to you?---Yes.

And did you secure a location for a field trial?---I don't know anything else other than what I sent in an email.

10 Is the answer no?---No.

And did you attend any field trial for HAENNI dynamic portable scale technology?---No.

And then there is an invoice at page 289 dated 17 July, 2017, and we have to go to the next volume, volume 4, page 1, is an email from Zoe Hamidi attaching that invoice, addressed to Mr Soliman, and again you're pretending to be Zoe Hamidi there?---Yes.

20 And the invoice itself at page 2 is to the attention of Mr Singh, but you say Mr Soliman created the invoice and everything in it. Is that what you say? ---Yes, that's correct.

Now, did you ever discuss with Mr Singh that there was a possible conflict of interest in you doing work for RMS?---No.

You never had any discussion with Mr Singh - - -?---I don't remember having a discussion about it.

30 Now, did you ever conduct, it becomes somewhat repetitive, Commissioner, but did you ever conduct a trial of portable weigh scales?---No.

And there's evidence that, or the documents disclose that you submitted another quote for AZH for end-to-end management of a PAT dynamic scales field trial for a PAT model 10C Series III scale. And so I'll show you that, but that's at volume 3, page 296. And again, the bottom, Mr Singh has asked, "Hi, AZH, attached is a request for quote." And then a reply from AZH Consulting, "Hi, Jai, after reading your request for quote documentation we are pleased to provide you with the following quote. If
40 you have any questions, please don't hesitate in contacting my team." Do you see that?---Yes.

And Mr Singh knew both you and your wife?---Yes.

And so the reference to my team, what's that a reference to?---It was just trying to make a professional email.

Were you just trying to sound professional?---Yes.

But Mr Singh could have, at any time, telephoned your wife, couldn't he?
---I don't think he had my wife's number.

But doesn't he know your wife socially?---No. He, he knows my wife but they're not friends, they don't hang out, so he doesn't have her number, yeah.

10 There was a phone number on the quotes and invoices for AZH?---Yes.

And if your wife had answered those phones to Mr Singh - - -?---But that phone was, I created that phone number and that phone was with me.

Now, at page 302, is a similar email to what we've already seen that, "A site for field trials secured and field trials commencing immediately." That is false?---That's correct.

And do you say that Mr Soliman directed you to send that email?---Yes.

20 And you sent it to him and Mr Singh?---Yes.

And Mr Singh had attended some trials, three with you?---Yep, with me, yes, that's correct.

And do you have any knowledge of a dynamic portable scales field trial taking place?---No.

When it would occur or where it would occur?---No.

30 Do you know whether one did occur?---No.

And did you expect that there would be a trial?---I expected there was a trial because Mr Soliman told me that all the work was getting carried out.

THE COMMISSIONER: Do you play football with Mr Singh?---I did, yes.

And are you playing football during this period?---It was at, during this period was just like socially, like every couple of weeks, there'd be like a game on, yeah.

40

And he never mentioned to you anything along the lines of how did the, what's this one, the, the PAT version 3 trial go, or raise anything with you about this work that AZH was supposed to be doing?---We had one conversation which was, like, early 2017, when I saw him at the gym and he just asked me how everything's going with it and I just said, "Yeah, good."

So just a general - - -?---That was it. We never spoke work. We, you know, we, yeah, it was always either football or something like that along those lines.

MS WRIGHT: And at page 308 you submitted an invoice for that trial in the sum of \$53,625 to RMS. Do you agree with that?---Yes. I, I would have. I would have sent that.

10 Now, did AZH submit a tender in October 2017 for the purpose of seeking appointment to a panel of professional services contractors?---Yes.

How did you become aware of that tender process?---Mr Soliman sent it through to me.

20 What did he send you?---He told me to register on the e-tendering site to download the documents and then he prepared most of the, the actual tender document and we, we met one day at a café close by and he took details from me and, you know, and also asked me questions about my wife's personal professional experiences as well and he put the document together.

We'll take it step by step. What did you understand this tender to be about?---He just told me that it would be, like, it would be on the tender, like, board type of thing and it would just become easier to, to get work done or whatever.

Did he tell you anything about the type of work or the value of the work? ---He said the value would go up a little bit but he never specified exactly how much.

30 Now, you said he asked you to go to the website - - -?---Yeah.

- - - and download documents.---Yeah.

Did you do that?---Yes, I did.

And were they, is that the tender documentation?---Yeah.

And did you lodge an application for this tender?---Yes.

40 You did that yourself?---Yes.

How did you do that?---I had to take it to a, like a red, red letter box or something in Parramatta and put it in the - - -

You put it physically into the box?---Physically in there.

Now, did you prepare AZH's submission?---No, I did not.

Did you prepare any of it?---I gave him an input about my professional background and my wife's professional background. Like I said, we, we met at a café close by to my house and sat there with a laptop and he just filled it out.

So he typed up on a laptop?---Yeah.

And he asked you for some information?---Yeah.

10 And how did you get a document to put into the box in Parramatta?---So then he sent, I don't know, he sent, he did it on my laptop so I just went home and printed it, and then took it to the, put it in an envelope and took it to Parramatta.

You printed it and put it in. Did you read it?---The - - -

Sorry, you printed it, you said?---Yes, I printed it.

20 And you put it in an envelope.---Yes.

But did you read it before you did that?---Not really. I just, I just trusted him with it. I didn't think he would get me into this kind of trouble.

Did you read it at all?---I read parts of the requirements. I didn't read really what he put in other than, you know, my background in, you know, data analytics and my wife having a degree.

30 You said by this stage you've been paid a lot of money by RMS, would you agree with that?---Ah hmm. Yes.

And you're submitting a tender to get further contracts from RMS.---Yes.

That was your purpose in submitting the tender, wasn't it?---Yes.

So you weren't just following Mr Soliman's instructions. You wanted to receive further work from RMS, didn't you?---I was, yeah, I suppose, yeah, you could say that. I was just, yeah.

40 Yes, but you're saying you didn't read what you submitted to RMS.---No, I didn't.

Although I think you said you did read some of it.---Yeah, I glanced at the, yeah, the, some of the requirements.

Now, you referred to being somewhere with Mr Soliman when he did some drafting. Where was that?---It was a charcoal chicken place in Castle Hill called Inflammes.

How did that meeting come about?---He just told me that we need to meet up to do the tender.

And he had a laptop.---Pretty sure it was my laptop that he was using.

Could Mr Hamidi please be shown volume 8, page 118. Do you recognise that document at all?---Yes. That was the one we sat at the café.

So you saw that on his screen, did you?---Yes.

10

And did you see a document that looked like this when you printed out the document to put in the envelope?---Yes.

And this document has both you and your wife's names in it.---Yes.

And it says that "As business manager, Zoe Hamidi draws on an extensive career in communications, bachelor's degree in communications, data analysis/reporting and vendor contract management, end-to-end business management, including finance/accounting." Is that true?---No.

20

Is any part of it true?---Well, she has a bachelor's degree and she can do reporting and, yeah.

But, so you say the bachelor's degree in communications is true?---Yes, that's correct.

And when you say she can do reporting, what do you base that on?---That, from her job, that she does reporting as well.

30

And then in respect of you it says, "As the technical lead, Ali Hamidi draws on a 10-year career in the ITS industry as well as an extensive IT project management and data analysis reporting career working for major Australian telecommunications companies." Is any of that true?---Yeah, so data analysis reporting, worked for a major telco and did project management.

A 10-year career in the ITS industry. Do you regard that as true?---No, that's not true. 10 years in telco but not - - -

40

What's ITS?---I'm not sure.

You don't know?---No.

"Detailed knowledge of worldwide best practices in the ITS industry drawn on from international ITS consulting for road government agencies throughout the world has enabled AZH to be an industry leader in ITS consultation." All false?---Yes, all false.

THE COMMISSIONER: Did you draft that?---No. I wouldn't know what half of that meant.

MS WRIGHT: Over the page at 119. "AZH has developed into an ITS industry leader based on a core foundational practice of understanding," Commissioner, I don't propose to read it all out, but again that's not correct?---That's not true, yeah.

Not true?---I, yeah, I didn't write that and it's false.

10

Halfway down. "Additionally we understand the majority of our customers do not possess a detailed understanding of the ITS industry." The reference to "the majority of our customers", how many customers did AZH have? ---None. Not in this space. Didn't have anything.

It had RMS as a customer.---Yeah, that was it.

20

And then refers to "Managing ITS field trials, consultation, scoping study end-to-end by determining the following legislative guidelines and requirements of the ITS technology in question, i.e. what transport road (not transcribable) can the ITS technology be used for detection and/or data collection and/or infringement." Did you know anything about any legislative guidelines or requirements?---No, I did not.

30

Over at page 120. Sorry, we'll skip to 121. Under the heading Innovation/Creative Quality of Proposal, it talks about how AZH spent a large portion of the planning phase understanding what format the customer would like the proposal and reports in, and then it refers halfway down to "One field trial we performed for RMS, Houston Radar, overlength vehicle detection system." You've already given evidence that you've never - - -? ---No.

- - - performed that field trial or even attended at Galston Gorge.---No.

And you refer to it being a high-risk road for pedestrians/humans to attend. So that was false?---Yes.

40

And then on page 122 there's a list of seven trials that AZH has allegedly performed in the last two years. Now, you did attend the first trial and you've given evidence about that, at Picton Road.---Yes.

And you attended the dimension one at Marulan, which is the second one? ---Yes.

And you have said you also attended one at Twelve Mile Creek.---Yes, that's correct.

But the balance of those trials, AZH did not perform. Is that the case?
---Yes.

And then the application also attached two scoping studies and they are two scoping studies I've already taken you to. Do you recall that the tender did attach the two scoping studies?---I think so, yeah.

Do you recall seeing that when you submitted the tender?---I think so, yeah. I'm not 100 per cent sure but.

10

There is an email at page 127 of volume 8 dated 23 October, 2017, where AZH through apparently Zoe Hamidi says, "I am currently completing our tender submission."---Yes.

"I just have a quick question. Do I have to submit a signed version of this contract as part of my tender submission?" Who sent that email?---I sent that email.

20

And the mobile number on the email, whose mobile number is that?---That was the, the work mobile I created.

And why did you send that email?---It was one of the questions that Samer asked about what needs to be signed and said ask Jai.

THE COMMISSIONER: Do you recall what the document C72PSCI is?
---No, I don't.

30

MS WRIGHT: And Mr Singh has responded that, "Nothing is required to be completed in the C72 document." Do you see there, Mr Hamidi?---Yes.

And did you sign the tender submission at all?---I think I may have signed the tender submission.

Well, when you say you think you may have, do you recall that you did sign it?---I don't remember.

You don't remember.---No.

40

What was your understanding in terms of who would be deciding if your tender was successful?---It was like, going to go to a panel of people to look over all the applications and see what fit.

Did you know who would be on the panel?---No, I did not.

Did you know how big the panel would be?---No.

Did you discuss it with Mr Soliman at all?---No.

Or Mr Singh?---No, other than that email I never discussed it with Mr Singh.

Did you know whether Mr Singh would have any role in deciding whether you would end up on the panel?---I wasn't too sure. I imaged so, since he was the one that issued the, the tender thing, but - - -

So you were aware of that?---Yeah, potentially that he could be involved, yeah.

10

Well, you know he would be involved, didn't you?---Not for sure. I'm just saying that just based on him sending it I assumed that he would be involved.

Now, page 154. This is an email chain in which at the bottom Mr Singh informs you that your tender of 25 October is accepted by Roads and Maritime Services.---Yes.

And he attaches a C72 panel deed to be completed.---Yes.

20

And did you sign a panel deed?---I'm not too sure. Maybe.

Page 160, is that your signature?---That is my signature.

And is that your wife's signature?---Yes, that is.

What are the circumstances in which you and your wife signed that document?---I would have signed it for this, the acceptance and I would have just asked my wife, "Can you just sign this paper for me?"

30

And were you with – you can see that Mr Singh and Mr Soliman have also signed it.---Yep.

And were you with them when that was signed?---No.

So was the document signed when you – was it already signed by the RMS employees when you signed it?---No. I think if you go back to the emails, we signed it and then sent it to them and then they signed it and sent it back.

40

And page 161, this was a three-year contract from the date of its execution. Did you understand that at the time?---Yeah, I think so.

Now, once you were on this panel, did the process for getting work from RMS change at all?---It kind of, I was getting more, I was getting the RFQs, there were getting sent out but it would still be Mr Soliman creating the quote and then I would submit the quote.

THE COMMISSIONER: So when you say, "I was getting the RFQs," did they, after you were put on the panel, were they increased in frequency or for different - - -?---No, just more detailed. Like, there was a document attached to it that outlined, like, the, the, the type of work they required.

So it seemed as if you were quoting for more complicated work?---Yeah. It appeared that way.

10 MS WRIGHT: So you would receive a request for quote and then you would receive a quote from Mr Soliman, is that the case?---Yes.

And you would then submit that quote to RMS?---That's correct.

And would Mr Soliman tell you when to submit the quote? How did you know when to submit - - -?---He generally would yeah, he would tell me when to send it. It was always the last day of the closure and it was, like, within the last 10 minutes or so.

20 Could Mr Hamidi please be shown volume 4, page 15. This is an email from Mr Singh on 6 November, 2017, which is the same day as you signed that deed for the professional services contract, attaching a request for quote for a scoping study for the PAT 10C III. Do you recall receiving that on the same day as you signed that deed?---Yeah, I guess so, I can't remember.

And you sent a quote for a trial in the amount of about \$50,000, that's at page 28B. But again, do you say you didn't conduct that trial?---I did not conduct that trial.

30 And Mr Hamidi, what did you tell your wife about the deed that was signed by both of you?---I just said it was just some work papers, "Can you sign it?" That was it.

She didn't question it at all?---My wife doesn't question. She's got more important stuff on her mind and she just trusts me.

No question at all? "What am I signing?"---No.

40 "What is this?"---No. I deal with the banking stuff, I deal with the tax, I deal with all the kind of paperwork. She looks after the family, looks after my son. So she trusts me to look after her I suppose.

The money that came into the AZH bank account, where did that go? ---Majority of it's still there. Some went to tax and some of it went to Mr Soliman and some of it I used, like, the expenses, you can see the ones that I have, I used personally.

Before it went to Mr Soliman, did it go via any other bank accounts?---No, it always went into that business bank account.

And having gone into the business - - -

THE COMMISSIONER: Sorry, what do you mean by that?---What do you mean?

Sorry, you said it always went into the banking business account.---Yeah.

10 So which account were you referring to?---Oh, the AZH.

So you'd issue the invoice - - -?---Yes.

- - - and the invoice usually says, "Pay AZH."---Yeah, and it had the AZH banking details.

So the money from RMS would go into there.---Yes.

20 MS WRIGHT: And you've said that you'd use some of that money to pay Mr Soliman.---Yes.

Any of the money that you paid Mr Soliman, did it go from the AZH bank account into any other account before you withdrew it?---Yeah, so I would pay, like, a salary into my wife's account and then I'd withdraw it.

So you've paid your wife a salary.---Yeah.

30 Why did you do that?---So it'd be like a salary so I can withdraw it, because you can't really withdraw cash from a business account. So I paid tax on it, yeah.

So you transferred money into your wife's account?---Yes.

And you've called that salary.---Yes.

Did you tell your wife that you were paying her a salary?---No, my wife doesn't see (not transcribable). She uses the credit card. She doesn't really access her personal account.

40 THE COMMISSIONER: Sorry, so was this a bank account that's in her name?---Yes.

And did you have the ability to withdraw money from it?---Yes. So - - -

How did you have that ability?---I'd take her EFTPOS card, her bank card.

You obviously knew the password and log-on.---Yes. Yeah.

MS WRIGHT: Now, I note the time, Commissioner.

THE COMMISSIONER: Is that a convenient time?

MS WRIGHT: Yes, I'm moving on to another area.

THE COMMISSIONER: All right. Now, Mr Hamidi, we'll continue your evidence tomorrow morning at 10 o'clock. We'll now adjourn until 10 o'clock tomorrow morning.

10 MR LONERGAN: Commissioner, can I just ask - - -

THE COMMISSIONER: Oh, I'm sorry, Mr - - -

MR LONERGAN: Lonergan.

THE COMMISSIONER: Yes.

MR LONERGAN: Can I just ask one quick question?

20 THE COMMISSIONER: Yes.

MR LONERGAN: I will seek leave to question the witness. However, the practice note does direct for that request to be in writing. Given the earliness in the proceedings, is it possible that we have leave to question without needing to make a formal submission to Counsel Assisting?

30 THE COMMISSIONER: Look, the way I intended to proceed was that if it appears quite obviously you've got an interest to cross-examination, I'll allow you to cross-examination. If you start moving into areas where I can't see why that cross-examination is related to the party that you're representing's interest, I may stop you there and then either you can make oral submissions or we can pursue it.

MR LONERGAN: Please the Commission.

THE COMMISSIONER: Any other administrative matters before we – sorry, Ms Wright, are you - - -

40 MS WRIGHT: No, Commissioner.

THE COMMISSIONER: All right. We'll then adjourn and resume tomorrow morning at 10 o'clock.

THE WITNESS STOOD DOWN

[3.59pm]

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