

Friday 20 May 2022

## Investigation into the awarding of contracts by employees of the former NSW Roads and Maritime Services

### ICAC FINDINGS

The ICAC found that Samer Soliman, Stephen Thammiah, Ali Hamidi and Jainesh (Jai) Singh engaged in serious corrupt conduct. Read the full findings [here](#).

### ICAC RECOMMENDATIONS

The Commission seeks the advice of the Director of Public Prosecutions (DPP) on whether any prosecution should be commenced. The DPP determines whether any criminal charges can be laid, and conducts all prosecutions. The Commission is of the opinion that consideration should be given to obtaining the advice of the DPP about the prosecution of Mr Soliman, Mr Thammiah and Mr Hamidi for various [offences](#).

### CORRUPTION PREVENTION

The Commission has made [seven corruption prevention recommendations](#) to help Transport for NSW (TfNSW), of which RMS is now part, prevent the conduct identified in the investigation from recurring.

### BACKGROUND

The then chief executive of RMS made a report to the Commission by letter dated 16 February 2018 pursuant to section 11 of the *Independent Commission Against Corruption Act 1988* (“the ICAC Act”). This section of the ICAC Act requires the principal officer of a public authority to report to the Commission any matter which the person suspects on reasonable grounds concerns or may concern corrupt conduct.

The report concerned an anonymous complaint alleging that Mr Soliman was providing contract work to the company of his close friend, Mr Thammiah. Mr Soliman was the manager of the Heavy Vehicle Programs (HVP) Unit at RMS. Covert enquiries conducted by RMS indicated that, between 25 November 2015 and 29 March 2017, Mr Soliman had engaged and approved payments of about \$900,000 to Mr Thammiah’s company, Novation Engineering Pty Ltd.

The Commission commenced a preliminary investigation in March 2018. By May 2018, a review of electronic records provided to the Commission by RMS indicated that the Novation invoices submitted to RMS were addressed to both Mr Soliman and Mr Singh, a business systems analyst in the HVP Unit who reported to Mr Soliman.

Messages extracted from Mr Soliman’s mobile telephone, which had been seized by Commission officers when executing a search warrant, indicated that he was in a WhatsApp chat group that included Mr Hamidi and Mr Singh. Mr Hamidi effectively controlled AZH Consulting Pty Ltd. Mr Soliman had arranged for that company to be added to the RMS database as a vendor.

In early November 2018, RMS advised that, between January 2017 and August 2018, AZH had been awarded 17 contracts worth a total of \$1.45 million. Evidence obtained by the Commission tended to indicate that these contracts had been awarded contrary to RMS procurement rules and the agency’s conflict of interest policy. The Commission therefore extended the scope of its investigation to include whether Mr Soliman and Mr Singh had engaged in corrupt conduct in relation to the awarding of contracts to AZH since approximately November 2016.

The Commission held a public inquiry in this investigation over 26 days in a number of tranches in May, June, August and October 2019. Commissioner Patricia McDonald SC presided over the inquiry, at which 10 witnesses gave evidence. Read the full report [here](#).

Media contact: ICAC Manager Communications & Media Nicole Thomas [nthomas@icac.nsw.gov.au](mailto:nthomas@icac.nsw.gov.au) / 0417 467 801