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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC
COMMISSIONER

PUBLIC HEARING

OPERATION GERDA

Reference: Operation E17/0445

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 11 FEBRUARY, 2019

AT 2.00PM

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

THE COMMISSIONER: Mr Coleman.

MR COLEMAN: Commissioner.

10 THE COMMISSIONER: I understand that there is some concern that there might be information which your client would seek to have suppressed as sensitive. I'm not going to identify that information, although you can if you wish. Can I say this, that from what I know, I don't regard the information as particularly sensitive. I mean, without identifying it, I'd be happy to debate if you like. The information's been in the public domain for well over a week.

20 MR COLEMAN: Can I just say this, without wanting to cut across you, I'm not going to make an application for a suppression order. I've spoken to Counsel Assisting and perhaps the way it can be approached is if, where there are other clients of my client referred to, they don't need to be named unless it's relevant and it should be made clear that there's no allegation, as there wasn't in this particular case, that any of those clients had been the subject of any wrongdoing.

THE COMMISSIONER: I can make that clear. As far as I know at this stage, that there's no suggestion whatever that, in respect of other sites where your client might be engaged, that there's any suggestion of wrongdoing at all. Thank you.

30 MR COLEMAN: Thank you, Commissioner.

THE COMMISSIONER: Mr English.

MR ENGLISH: I think with Exhibit 39, perhaps if we can stay with that and if page 64 can be brought on the screen, please. Have you got that there, Ms Li? And if it assists, I'm looking behind tab 3. Do you see the document on the screen? You might be able to match it.---Yeah.

Is the screen in front of you working?---No.

40 I'm sorry about that.

THE COMMISSIONER: Has the witness got a hard copy?

MR ENGLISH: She does, yes. Have you got page 64 there?---Yes.

So you recognise this as the SIG schedule after tax for that week ending 28 August, 2016?---Yep.

I just want to ask you about some more entries here, please. Number 33 for Ben Pfitzner.---Yes.

You recall there were some references to that name earlier during your evidence?---Yes.

Can you assist in explaining what the notes in relation to Mr Pfitzner mean?---48 hours, team leader rate at \$23 per hour plus 76 hours at \$21 per hour and then 20 hours on-book.

10

So the 20 hours on the book, does that mean he's being paid legitimately, including the withholding of taxation payments and he's being paid superannuation and leave et cetera, for those hours?---Yes. On the book, but there's no leave payment.

No leave payments. But superannuation?---Yes.

If you can turn please, to - - -

20 THE COMMISSIONER: So that means, does it, that 84 hours wasn't on the books?---48. If that - - -

Oh, I'm sorry.--- - - - is 48 plus 76 should have been 124 hours, then, then minus 20 hours.

I see, thank you.

MR ENGLISH: So the 104 figure, that's the figure only that Mr Elredi has to arrange payment for, is that right?---Yes.

30

And then obviously that equates over to the figure under amount, the \$2,240, is that right?---Yes.

If we can go over the page to the entry number 80, page 65, entry 80, just the next page. You can see there that there's a Lincoln Jay Nock.---Yes.

There's a rate identified at \$20. Is that the standard security guard rate?---Yes for Sydney Uni.

40 And then it says in amount nought, do you see that?---Yes.

So that suggests he hasn't been paid or isn't to be paid any money by Mr Elredi that week?---That's right.

Did you ever receive a personal time sheet for Lincoln Nock?---He, he did a shift, few shifts before.

A few shifts. Do you know when that was?---I can't remember, yeah.

And where it says that he's to be paid nought, if his name appears in the site time sheet for this particular period, does that suggest that his name's been used falsely and that he's never appears to do any work at Sydney University for that week?---Yes.

Can we turn to page 76, please. You'll see that there, towards the bottom of the page, starting at entry number 176, are a series of entries in blue?---Yes.

10 What do those entries represent?---The blue one?

Yes. From 176 downwards.---Basic office, office workers.

And at 183, we see Q-i-n, is that you?---Yes.

It identifies you're to be paid \$1,520.---Yes.

20 And how is that to be paid? Is that all on the books or off the books?---I'm not sure that week on the book, did I transfer money to me or not. I can't remember exactly but - - -

Well, you can see Taymour, do you see him at 189?---189. Yes.

It suggests he's to be paid \$1,000.---Yes.

And there's some entries there, stating what to be some periods over which he's to be paid that amount. Do you see that?---Yes.

30 What was that amount for, to your knowledge, that Taymour was paid?---I believe to help him to paying his BAS.

To help him pay his BAS, was it?---Yeah.

So this wasn't a wage payment to Taymour for filling tasks on behalf of SIG?---Can you repeat again, please?

Well perhaps, can I draw your attention to 179, there's another entry for Taymour. Do you see that?---Yes.

40 That says he is to be paid \$2,000.---Yes.

So does one read from this sheet that Taymour is to be paid \$3,000 this week.---Yes.

And so what do those two separate payments represent?---\$2,000 every week is the agreement between Taymour and Tommy for the subcontracting service.

So that's a fee to be paid to Taymour, is it?---Yes. And the \$1,000 I think it's Taymour got a lot of tax lodgement from around, like, GST, BAS, to help him.

So, sorry, go on.---Tommy to help Taymour to paying part of the money.

10 So this arrangement that Tommy put in place with Taymour created some tax liabilities for Pharaohs Group, did it?---Yeah, I think, yeah, Taymour has his accountant, so probably when he lodge his BAS (not transcribable) lodgement fees probably, yeah.

Do you know whose accountant Taymour was using?---At the beginning is same accountant, I think. But later on Taymour choose his own accountant.

When you say same accountant, same accountant as who?---SIG and AUSP's accountant.

20 And so you mentioned that at some stage Tommy's agreed to pay an amount to Taymour in respect of these tax liabilities.---Yes.

And did Taymour, to your understanding, make a complaint to Tommy about them or did he raise it as an issue?---Yes.

And what did he say there? What do you know? That is, what was said between Taymour and Tommy?---I, I don't know exactly the conversation but I think Tommy just tell me to pay, pay the amount to Taymour. Probably the tax liability too much.

30 If I can just draw your attention to entry number 178, please.---Yes.

Tommy's identified there. Is that Mr Sirour?---Yeah.

\$1,000. It says, "Credit card, same as last week."---Yeah.

Was that some kind of regular payment that was made to Tommy or on Tommy's instruction?---Yes. His, should say his or company's credit card. There's, he spent, he always using and he ask us to deposit this \$1,000 to that credit card directly.

40 There are some other names there. There's a Summer.---Yes.

Is she a worker at the office?---She used to be working in the office.

What about Sue, Jessie, Maggie and Sophie?---The same.

If we can just go to page 68, please. You'll see that there's a summary at the bottom of the page. Have you got that there? I appreciate you don't

have the screen working in front of you. You've got that there, Ms Li?---On the - - -

Have you got page 68 there?---Yes.

The figure 112,785, what does that represent?---Total cash payment.

To be made by Taymour, is it?---Should be, yeah.

10 And then there's another figure, Total PMT, 131,353.---Yes.

What's that?---Include the bank transfer on the book (not transcribable)

So that, is it the 112,785 plus on-the-book payments gets to the 131,353 amount?---Yes.

Wage in red. What's that?---That's the on-book wage.

20 That's the on-book amount. Okay, thank you. Right, if we can just go over to the next page, which is a re-creation of that box, but some slightly larger font. Transfer money minimum, what does that mean?---The cash payment minus the total wage payment minus the wage on the book. So need cash minimum \$112,785.

So that's the amount of money Mr Elredi will have to withdraw and either provide to the SIG office staff in cash or place into persons' accounts who want to be paid by direct deposit?---Yes. That's right.

30 And that figure's for one week?---Yes.

There's a reference to a Bashir invoice. What does that mean?
---Subcontractor invoice.

And there's, so he's someone who's provided an invoice to SIG that needs to be paid?---That's right.

And what about Adnan Saeed?---He's the ABN number holder.

40 So, what, he's done work for SIG, provided an ABN and wants to be paid that way?---Yes.

Now, then there's a reference to PH Group 125. Do you know what that means?---She be Pharaohs Group's invoice.

So 125 is meant to be the invoice number, is it?---Supposed to be.

THE COMMISSIONER: Is that the Pharaohs Group?

MR ENGLISH: That was the evidence, Commissioner, yes. Pharaohs Group. And there's Taymour CHQ for 84,416. What does that mean?
---Bring the cheque, cheque amount.

Cheque for what? For wage payments in cash, wage payments by direct deposit? Both? What exactly is it?---Cheque payment for the cash to, in the office. After the deposit.

10 After the deposits, all right. And there's a reference 2,000 plus wage. What does that mean?---The, the cheque should be include the deposit.

So 84,416 should include deposits?---I think so, yeah.

And just back to that question, 2,000 plus wage.---Ah hmm.

What does 2,000 plus wage mean?---That 2,000 is agreement between Taymour and Tommy, the cash money, plus if Taymour did any work, his wage.

20 Can I just draw your attention, please, to document 74.

THE COMMISSIONER: Before we move on.

MR ENGLISH: Sorry, Commissioner.

THE COMMISSIONER: That's okay. Ms Li, if you go back to page 64, I think this is where this started. 64 goes through to 68 I think.---Yes.

30 Were schedules like this prepared every week?---Yes.

Whilst you were there?---Sorry?

Whilst you were there?---Me?

Whilst you were employed at SIG, schedules like that were prepared every week?---Yes.

Yes, thank you.

40 MR ENGLISH: Thank you, Commissioner. So - - -

THE COMMISSIONER: Using the same template?---Yes.

Thank you.

MR ENGLISH: I think the evidence, that's a template you created. Is that right, Ms Li?---Yeah, I set it up but there's a few changes, yeah.

It's evolved over time.---The girls probably did do that.

It's evolved somewhat over time, has it?---Yeah.

Now we were just discussing the figure of 84,416. If page 74 could come on the screen, please. Now, is that a document that you created, page 74? Is it your handwriting perhaps is a better question.---It's not my handwriting.

10 Have you seen documents of this nature while working at SIG?---Yes, I have, yes.

And is this some sort of instruction to Taymour as to how he should make weekly payments?---Yes.

So you see down the right-hand column, there's some denominations identified and a total of 57,141.50.---Yes.

20 Is that an instruction to Taymour as to how he should withdraw that total amount in cash? So, for example, I think it's 527 \$100 notes.---Yes.

And then there's the figure of 27,274.50. Now, is that the total of the deposits Taymour is asked to make to guards who hold Commonwealth Bank accounts for that relevant period?---The 27 one?

27 - - -?---Yes.

Yes, that's right.

30 THE COMMISSIONER: 27,274.50.---Yes.

Thank you.

MR ENGLISH: And I think, I hope my maths is right, but when that cash figure 57,141.5 is added to the 27,274.5 figure one arrives at 84,416.---I think so too.

40 So you might recall that seems to correlate with the Taymour cheque amount which was on page 69. If that could just be brought back on the screen, please. 69. See how that - - -?---Yes.

That's right. So if then you can just go to page 70, please. Now, this is a Pharaohs Group Pty Ltd invoice to Australian United Security Professional Group. It's invoice number 126. Do you see that for 30 August, 2016? ---Yes.

Now, did you prepare this template? I'm not saying you inserted the details that are found in it but did you create this invoice, the template for it?
---Maybe.

THE COMMISSIONER: If you didn't do it who would have done it as you understand it?---The office girl.

So somebody within the SIG office did it?---Yeah.

10 Thank you.

MR ENGLISH: And was that something Tommy asked you to do, so to prepare an invoice template like this?---Yes.

Now, here, this is an invoice for \$50,000 to Australian United Security Professional Group. Your evidence was that I think someone from the office would prepare this invoice.---Yes.

20 And then at this time is that right that it would be emailed from Pharaohs email account to Australian United Security Professional Group?---Might be emailed, might be not.

Now, would Mr Elredi ever see this invoice to your understanding?---I don't think so.

30 Who would provide instructions to you or someone in the office that the invoice should be made out to Australian United Security Professional Group for \$50,000?---You mean to transfer money to, from AUSP to Pharaohs Group for 50,000?

Well, here there's an invoice that is from Pharaohs to AUSP.---Yeah.

And AUSP would then pay Pharaohs this amount, being \$50,000. Correct?
---That's right.

So why is it that this Pharaohs Group invoice isn't just made out to SIG?---I think might be not enough fund in SIG at that time.

40 So there were sufficient funds in AUSP's account to pay this invoice and that's why it was chosen. Is that your evidence?---Might be, yeah.

Now, this invoice contains a GST component.---Yes.

Slightly over, or slightly under \$5,000, 10 per cent. Do you see that?---Yes.

Now, if SIG was paying its guard force itself there would be no GST that was attracted to payments of that nature?---That's right.

Yet here in this case AUSP is paying an invoice that includes 10 per cent GST?---Yes.

And that would be sent this invoice to AUSP's accountant?---Yes.

After payment? So after it had been paid the invoice would be sent to the accountant for AUSP?---Yes.

10 That's the same accountant that Tommy used to SIG and AUSP. Is that right?---That's right.

And you'd expect that the accountant would then enter this payment into the books and claim an input tax credit in respect of the GST?---Yes. The bookkeeping we put on the MYOB but the accountant check, yes.

So you'd enter this, you or one of your staff, who would enter this into MYOB at SIG or AUSP?---Whoever work that day in the office.

20 All right. And so the accountant would receive the data in the MYOB sheet?---That's right.

And work off that?---Yes.

And that of course would include the payment of the GST?---That's right.

If we can go to the next page which is page 71. This time it's an invoice number 20083 dated 30 August, 2016 again. This time it's an invoice to SIG, do you see that, for 24,200?---Yes.

30 You gave some evidence earlier about there perhaps not being enough money in the SIG bank account. Is that one reason why this might have been a lower total and then the invoice to AUSP was the higher amount?---I think so.

And particularly with SIG here given that it has, by reference to your evidence earlier it has accrued a wage bill in the order of \$131,353 for that week. If SIG paid those wages itself it wouldn't be entitled to claim a GST input tax credit in respect of its wage payments would it?---That's right.

40 But here's SIG one would assume claiming such a tax credit because it has structured its guard payments through Pharaohs in this way. Is that fair, do you agree with me?---I agree with you.

Now, if you go to page 72 you can see there's another invoice, this time number 128. It's dated 31 August from Pharaohs Group to AUSP again for \$38,000?---Yes.

So just the three invoices I've just taken you to for \$50,000, 24,200 and \$38,000, the total there is \$112,200.---112?

So 50,000 plus 24,200 plus 38,000 you can assume from me is 112,200.---Okay.

That is, I'll just draw your attention and if it can be brought on the screen, please. Page 69.---Yeah.

10 See that figure of 112,785.5?---Yes.

There's some slight discrepancy there but are those figures meant to be exacting or closely similar that the total invoice, the total invoice amount and that figure as in minimum transfer of money?---That's right. Minimum, yeah, yeah.

Now, if we can go to page 149, please, of Exhibit 38 which was volume 4. I'm sorry to overburden you with folders there but if your screen is not working, Ms Li, you might have to keep them there.---That's okay.

20

Page 149. Now, this is a subcontractor's statement regarding workers compensation, payroll tax and remuneration.---Yes.

It says the subcontractor is Pharaoh's Group Pty Ltd?---Yes.

Is this a document you've seen before?---Yes.

There's a signature at the bottom of the page and it says Taymour Elredi. Are you familiar with that being Mr Elredi's signature?---Yes.

30

Do you know how this document was signed by Mr Elredi?---He signed on one page and we keep it in our office and then we photocopy every time.

So whose handwriting is on the form, other than Mr Elredi's signature?---The S International Group Pty Ltd, that one is my writing. The, the bottom, the dates is one of the girls.

The dates are the girl's writing but the S International Group Pty Ltd with the ABN number is your writing, is that right?---Yes.

40

Do you know why - - -

THE COMMISSIONER: I suppose the dates had to be changed every week?---Yes.

MR ENGLISH: Is it the case then that you said that there were photocopies of this document taken, do the photocopies include your handwriting in S International Group Pty Ltd? Is that just a photocopy that's repeated on

more than one occasion, to your knowledge?---I believe, might be it's included the S International Group photocopied.

THE COMMISSIONER: As far as you know, Mr Elredi only signed the document once?---Yeah.

Yes, thank you.

10 MR ENGLISH: Were you there when he signed it?---I think so. I think the office girl, girls was there too.

And was there any discussion about the contents of this subcontractor's statement with Mr Elredi at the time that he signed it?---I don't think discussed in details but, in from Tommy was this one need to signed and then Tommy ask him to sign it, yeah.

Did he, to your recollection, read it carefully before he signed it?---Maybe not.

20 Did, to your recollection, Tommy explain what the form means?---I can't remember in detail. Might be not.

If you just look at B, if it perhaps can just be increased a little bit, it's partly obliterated, but do you see there, there's A and then B, "All worker's compensation insurance premiums." So you see that?---Yes.

30 Payable by the subcontractor in respect of the work done under the contract have been paid. The certificate of currency for that insurance is attached and dated. There's a date there of 31 March, 2017, which is in the future. Do you know why such a date might exist on the form?---That's an expiry date of the certificate.

Now, if Mr Elredi did have all worker's compensation insurance premiums paid up in respect of the work done under this contract, one goes back to your, I'll withdraw "your", but if one goes back to the SIG schedule after tax, it seems that he may have made payment in respect of a hundred guards wages that week. Would that be fair?---No.

40 Do you think less or more? He's to pay out \$112,000 that week. Do you know how many guards that might represent in a board term?---Not sure.

Well, if I can just ask for Exhibit 37, which is marked 1.3, page 29, to be brought on the screen.---Sorry, which page?

Page 29. Have you seen that document before?---Yes, I believe.

So it's a certificate of currency issued by GIO Workers' Compensation Department, addressed to Pharaoh's Group Pty Ltd and it covers the period

31 March, 2016 to 31 March, 2017 and it says that Pharaoh's Group has workers' compensation in respect of 10 workers. Do you know the circumstances by which this policy was obtained by Taymour or Pharaohs Group?---Yeah.

What happened? I mean did – it says that there's 10 workers.---Yes.

10 He's just paid wages and it says that the annual amount of wages in respect of the period is \$80,027. Now, in the one week we've been looking at, he's paid 112,000 odd dollars in wages. So, clearly this certificate of currency is insufficient insofar as Pharaohs Group is paying more guards than it is disclosing on this certificate, would you agree?---Yes but normally this certificate is estimated figure. So if Pharaohs at the end, normally the GIO, they will ask for actual figure and, and over the period, so it's up to Pharaohs to say how much added and need to be put on there and he need to pay the difference of the payment to GIO.

20 But to your knowledge, did Mr Elredi ring up GIO and say, well, for the week ending 28 August, 2016, I've already exceeded in that one week my total average wage cover?---I don't think so.

Do you know if he ever said that to GIO?---No, I don't know.

Is this something that Tommy told him he had to take out for the purpose of the subcontracting arrangement, this certificate of currency for the insurance?---To bring it?

30 Do you know if Tommy told Taymour that he needed to obtain this insurance?---No. I – no.

Now, if we can just go please to, again, Exhibit 37, page 21. So this is an email from yourself to SNP Rosters, copying in Mr McCreadie, do you see that, and Tommy?---Yes. It's 21 page?

Page 21.---Oh, yep.

And it's dated 1 September, 2015, your email.---Yes.

40 You said, "Please find GIO worker's comp certificate of currency." And then over the next page, you see there's a certificate of currency from S International Group, sorry to S International Group from GIO?---Yes.

And the period is 31 August, 2015 to 31 August, 2016. So it covers the period that we've just been looking at, that's the period that ends 28 August, 2016. Do you see that?---Yep.

And it's suggesting that AIG has worker's compensation coverage for up to 25 workers. Do you see that?---Yes.

And again it's saying that the annual wage bill for those 25 workers is \$237,255?---Yes.

Now, that amount would be exceeded, it would seem, in about two weeks. If we look at the payment schedule that I took you through earlier, would you agree?---Yep.

10 And do you know if this was ever increased, this certificate of currency by SIG, to have more guards and a higher wage bill?---It might be.

It might have been?---Yes.

What makes you say it might have been?---Because every year GIO always send us how much actual workers on the book and how much the total wage need to declare.

20 So you're saying that there may exist an updated version of this certificate of currency with varied numbers of workers and a wage amount?---Yes, but only the book one.

But this is only on the book, I see.---Yes.

So in respect of the workers that Mr Elredi paid who were off the book, they're not reflected in this insurance certificate of currency?---That's right.

30 Okay. Now, if I can ask if page 75 can be brought on the screen, I'm sorry that should be Exhibit 39. This is the invoice that we looked at previously quickly from S International Group to SNP Security. It's for a number of locations - - -

THE COMMISSIONER: We have to get that screen fixed overnight I think.

MR ENGLISH: I think so, yes. It's unfair to the witness, Commissioner.

THE COMMISSIONER: I agree, unfair, yes.

40 MR ENGLISH: I'm sorry, I thank your associate, Commissioner, for the assistance here. If Exhibit 37 can be returned that should make things a little easier.

THE COMMISSIONER: Ah, helps on the way.

MR ENGLISH: Is that on now, Ms Li? Is that on now?---Yes.

Look I'm sorry for that.---All good.

So if you can see, yes, page 75, you can see this invoice before. It's for this period we're focusing on dated 31 August, 2016.---Yes.

What follows from page 76 through to page 84 is an identification, is it not, of all the guards which SIG claims have filled shifts at sites where there's a subcontracting arrangements with SNP?---Yes.

10 Now, I don't expect you to be able to count this immediately but if I ask you to assume that there's 80 different guards identified on pages 76 through to 84, if you accept that from me and you recall just a moment ago you had sent through to SNP rosters, a certificate of currency saying that for security services International Group had coverage for 25 guards. Do you recall that?---Yes.

Was it ever raised by way of query with you by anyone from SNP why there was only 25 people identified in the certificate of currency for SIG when it appeared to be billing in respect of a much larger number of guards?---No.

20 Now you mentioned earlier the reasons why Mr Sirour instructed you to put in place this scheme involving guard payments off the books and Pharaohs Group.---Yes.

Are you able to estimate how much money Mr Sirour was able to save per week by implementing that scheme?---To save?

30 Well, he didn't have to pay tax on guards' wages, he didn't have to pay, it would seem, a significant, for – I withdraw that. For a sufficient number of guards in terms of workers' compensation premiums, I think you mentioned payroll tax earlier, he didn't have to pay payroll tax. Do you how much he saved by implementing or SIG saved by implementing this scheme?---I don't know how much roughly, only can probably say how much he made from the profit.

You say how much profit SIG made each week, is that what you're able to say?---Yes.

40 How much was that?---It depends on the hours, on Sydney Uni, if large amount we would be getting bigger, probably on for the wages, probably around ten.

When you say ten, what do you mean?---Ten thousand.

He was making a profit of ten thousand, what, per week?---Yes, probably.

What's that by filling jobs at the university?---I think so, yes.

A portion of that profit was earned because he's avoided legal obligations that he would otherwise have to pay for which you've given about earlier?
---Yes.

Perhaps if you've got Exhibit 4 and Exhibit 4A, that's volume 4 and volume 4A which is Exhibit 38 and 39, they can now be returned and I'd ask perhaps if you could be provided with a copy of Exhibit 41 which was formerly 5A. If you can turn to page 28 and if that can be brought on the screen to please. This is another one of these spreadsheets I think you
10 created the template of, this time for the week ending 20 October, 2016.
---Yes.

Now you see if you can go to particularly page 31 please, you can see that there's some different colour coding.---Yes.

To your understanding, what does that represent? It's not the same as the yellow and orange but there is an orange there.---I'm not sure exactly the orange one but the green one probably be matched with the time sheets.

20 When you say matching with the time sheets, do you mean the site time sheets?---Yes.

Well, what would the orange references be, then, if they weren't on the site time sheets?---They probably be on the site time sheet, but not the person did the shift, might be.

Okay. So 11's the, sorry, the orange is where it represents an assumed name, where the person hasn't turned up to do the shift, is that right?---I think so.
30

If you could turn to page 43 and if that could be brought on the screen please. Have you seen this spreadsheet in this form before Ms Li?---I've seen similar but I can't say I seen this one.

Do I take from that answer that you didn't create this one, the template?
---Yes, because I didn't do this job.

There's a site identified in the top left hand side, that's an error isn't it, this is all for Sydney University matters isn't it?---(No Audible Reply)
40

If you look down the comments side you can see that it relates to tasks that would be performed at Sydney University?---Yes.

SCA, Sydney College of the Arts, static guard for Kirkbride Protests, that's at Rozelle, that's a Sydney University task, isn't it?---That's right.

So does this sheet have a reconciliation of hours claimed by the particular employee, and where an assumed name was used, it's in brackets? You can see some for Mr Ali Mohammad, do you see that?---Ali Mohammad?

You can see it in orange?---Yep.

So Ali Mohammad has claimed payment for that shift, but the name Ahmed Salah will appear in the time sheet, is that right?---That's right.

10 THE COMMISSIONER: Can I just, Mr English, ask you to look at page 44 and I may have just missed something here, but where we see Amyna Huda in the orange and then in brackets there's another name, do we have any evidence as to what that means?

MR ENGLISH: The evidence was, as I just understand, correct me if I'm wrong, Mr Li. So Amyna Huda is to be paid for that shift but the name that will appear in respect of that shift in the time sheet, is that in brackets, is that right?---Yep.

20 THE COMMISSIONER: Yes, sorry. I must have missed that. Thank you.

MR ENGLISH: Not at all, Commissioner. Can a document from Exhibit 36, page 55, please be brought on the screen. And you won't have this there, you'll just see this one on the screen if you can, please, Ms Li. So this is, if we start at the email first in time, an email from info@sigservices.com to SIG Rosters and the subject is, "Names of coverage on 30 September, 2016." Do you see that?---Yep.

30 It says, "Hi Frank. Please find attached the names for coverage," and then there's a list of 10 names. Do you see that?---Yes.

And then if you go up again, you can see a response from roster@sinternationalgroup.com?---Yes.

Is that an email address that Mr Lu used?---Yes.

And he was an SNP employee at the time?---Yes.

40 But he's got access to an SIG email account?---Yes.

And how was that set up, do you know? Was it on his phone, was it on his work computer, have you got any knowledge?---I believe it's his phone.

And was that a phone that was given to him specifically for that purpose? ---Tommy give him a work phone, yes.

And so do you understand that it's Mr Lu who's responding to you when he says, well at least to your email address, lynn@sigservices, "Can you please give me more names? Thanks." So you see that?---Yep.

"I know you gave me 10, can I have 10 more for guards don't work on SNP sites? Thanks." So that would suggest that it was you that provided those names that are seen in the first email in time, would you agree with that?
---No.

10 You don't agree with that?---No.

Why is that?---Because my email address, all my girls can access and even the one before was emailed to my email address by someone who replied it under Summer.

All right, so I think your evidence was that you had access to this lynn@sigservices on your phone and on the computer?---Yes, I do.

20 Where did the other office staff have access to that email address, lynn@sigservices.com.au?---Not on their phone but on their, on their computer.

Just focussing on the first email in time, those names that are provided, they're names in respect of guards who are not going to turn up on-site but their name can be used during this period?---I think so, yep.

30 If page 78 of Exhibit 40, which was marked volume 5, can please be brought on the screen. You might have that in Exhibit 47. Have you still got that there, Ms Li, Exhibit 47? It was MFI B.---MFI B.

40 You might just have to look at two documents here. Can I ask you, and Commissioner, you might have this as well, perhaps if the document from Exhibit 40, page 78 can be brought on the screen. I may need to do this the other way around but – sorry. If we can go back to page 77, please. So here's Mr Balicevac on Monday, 31 August, sorry, October, 2016, emailing to email addresses, one is lynn@sigservices.com.au and one is lynn@sinternationalgroup.com with his time sheet and he's said, "Hi Lynn and Sue." Is that because Sue had access to one or both of those two email addresses?---Yeah. All the, in our office, all the computer has my email address.

But there's two. So do you see there's lynn@sigservices.com.au and lynn@sinternationalgroup?---Yes. At the beginning, we set up, it was sinternationalgroup.com but that email address got something wrong, we can't receive email from Sydney Uni anymore, that's why we created sigservices.com.au. That's why but they sending to both. Yeah.

And if we go to the next page, please, you'll see this is a week where Mr Balicevac claims payment for 505 hours.---Yes.

Do you recall seeing this personal time sheet?---No.

Would you have been surprised if you had seen it at the time and had claimed 505 hours?---Yeah, would be very surprised.

Certainly can't be performed, that number of hours, can it?---That's right.

10

Would you have raised this with Tommy if you'd seen this time sheet at the time it was sent through?---Yes.

You can't remember doing that?---I did, I believe. Because one, it's very, very large amount, the girls, the girls tell me that.

So the girls, when there was a very large amount, the girls would raise it with you?---Yeah.

20

And you'd go and take it to Tommy?---Yes.

And do you recall saying in this, for this particular week, Emir's claiming over 500 hours?---I can't, I can't remember how many, tell him how many hours. Probably how much he getting, claiming, the payment.

If we can just look at the way he's expressed him time in this sheet. The first entry just says, "14 hours, me 7, Frank 7." Do you see that?---Yes.

30

It doesn't identify who the names are to be used.---Name.

I mean, you're nodding, so you're agreeing with me?---Yep.

Now, Mr Balicevac's names didn't appear on site time sheets, did they? ---No.

So how was it that a name was chosen in respect of these 14 hours or one or more names were chosen so that Mr Balicevac could claim payment with Mr Lu from 1700 to 0700 in respect of Kirkbride on Monday? Whose job was that to find those names?---Like, Sue, the girl, like, Sue doing this job.

40

And you'll see on Tuesday he's made a claim again at Kirkbride at the bottom of the page for 60 hours to be split 30 hours between himself and 30 hours with Mr Lu. Do you see that?---Yeah.

And again he's identified no names. So would that be Sue's responsibility to go and find names that, would she ring Mr Balicevac back and tell him to enter certain names into the spreadsheet then would she?---Should be - - -

Sorry, not the spreadsheet, into the site time sheet?---Should be the site time sheet already has names.

So she'd look through the site time sheet and try and decipher which names have been used in that document and then assign them to Mr Balicevac?
---Yes.

10 Now, if we look at some of the occasions when he has identified names you can see, you might have to take my word for this but he's identified the name on Friday Salman Saddique. Do you see that?---Friday.

Down the bottom. A bit further down. There it is. Do you see that?
---Yeah.

And that was on the list that you say Sue or one of the girls provided to him on 30 September, 2016. You might have to accept that from me at the moment because I can't bring it on the screen and you don't have a copy of it.---Yeah.

20 Actually it might be easier if volume 36, a copy be given to Ms Li, please. Is that at hand or not. So if you can go to page 55 of that document you can see the names that were provided. Have you got that open, Ms Li?---Yes.

So you can see Salman Saddique is on that list on page 55?---Yes.

So is Adam Bakour which you can see also on Friday's entry.---That's right.

30 Now, if we go to Saturday you can see Eugene Kerr which is on that list.
---Yes.

Matthew Matahi is on that list.---Yes.

Sharif Hafeez is on that list.---Yeah.

Go down again. There's a power shutdown that he claims 84 hours in respect of to be shared partly with Mr McCreadie.---Yes.

40 There's Mr Saddique there. There's Lincoln Nock who I think if you haven't agreed you would agree is a name that was being used when Mr Nock never turned up to do work especially at this time. Is that right?
---Yes.

And you can see some more of those names on Sunday being used Mr Bakour, Mr Hafeez, Mr Hussain, Mr Matahi. You see all those represented in the list on page 55?---Yes.

Now, you may or may not be able to answer this but does the use of those names claimed by two people, I'm talking about the power shutdown

occasions – if that can just be increased a little bit, please – where Mr Balicevac for example on, just go up a tiny bit, please, so I can see, on Friday has claimed for 84 hours, 70 himself. It suggests, does it not, that a number of those guards certainly didn't turn up to do the work for which they were billed to SNP?---Yes.

10 Just staying with this period. That, I think it was Exhibit 37 can be returned. We can go to Exhibit 41 on the screen, please, page 78. So this is the S International invoice dated 3 November, 2016 to SNP Security listing sites including the Sydney University site.---Yes.

If you go to the next page, page 79, please. You can see that there's this subcontractor statement again.---Yes.

This time it's for S International Group Pty Ltd.---Yes.

And it states that S International Group has entered into a contract with Sydney Knight Patrol & Inquiry Co Pty Limited.---Yes.

20 And provides the period and much of the same information that you'd seen in relation to the Pharaohs Group subcontractor statement.---Yes.

This one's signed or at least purports to be signed by Mr Sirour. Do you see that?---Yes.

Is that his signature do you recognise?---Yes.

Did you see him sign this form?---Yes.

30 Was it the same circumstances that involved Taymour in which one, was it a blank form was signed and – I withdraw that. What was on the form that you saw Mr Sirour sign?---Without the date, the rest S International Group name, SNP's name there, no dates and his name is there. The typed one.

Yes.---Yeah.

And so there's some handwriting particularly in relation to dates there's a tick as well. Is that your handwriting?---No.

40 Do you know whose it is?---One of the girls who prepare the invoice.

And so is it the case that one of the girls would just fill in a photocopy of this form that contained sufficient information that was already typed including Mr Sirour's signature?---Yes.

And they just fill in the dates?---That's right.

And this would be, we didn't see it in relation to the previous period but was this a document that was provided to SNP with each invoice to your understanding?---This invoice, this - - -

This statement.---Yes.

If page 56 of Exhibit 43 which was formerly marked 8A can please be brought on the screen.

10 THE COMMISSIONER: What page was that?

MR ENGLISH: That was page 56.

THE COMMISSIONER: Thank you.

MR ENGLISH: So this is a further invoice from S International Group to SNP Security this time dated 19 December, 2017. Again it identifies Sydney University site as one of the venues in relation to which guarding services were provided.---Yes.

20

And I just want to ask you something about some of the entries on page 63. Now, if that can just be increased a little, please. Monday, you see there that there's an entry for on 11 December, 2018 Jawad Al Momani and there's two entries for Bernadette El-Cheikh.---Yes.

Thanks. Perhaps if you, have you got a hard copy of that Ms Li? Have you got that in folder form?---I'm not sure which page.

30

If you don't can Exhibit 43, volume 8A please be provided. I just want to ask you a question about where those entries appear in the site time sheet. If I can take you please to, if it can be brought on the screen, please, it's the same volume, volume 8A, which is now Exhibit 43 and page 20. So do you see there that there's an entry for Bernadette, 1700 to 2359.---Yes.

If you flip to page 63 of that same exhibit, you can see that Ms El-Cheikh is identified as performing that shift from 1700 to 2359.---Yes.

40

Now, there's another entry for Ms El-Cheikh where she's been charged out for eight hours from 0000 to 0800. Do you recall that from page 63?---(No Audible Reply)

Can you see, this is for Monday, can you see if that entries found anywhere in the site time sheet? So that's Bernadette El-Cheikh from 0000 to 0800? ---(No Audible Reply)

You might have that as page - - - ?---Doesn't look like it to me.

May be if we can show the witness on the screen all of Monday's entries. So are you confident with that that she doesn't appear Ms El-Cheikh to have worked those hours on the site time sheet?---Doesn't look like it.

So it would seem that SNP has been charged in respect of work that one can't reconcile with that particular site time sheet, isn't that right?---That's right, look like - - -

10 And the same applies to a certain degree in relation to Jawad Al Momani, who was on page 63. He's identified as working a night-hour shift from 0000 to 0900. If we go back to page 20, you'll see that he identified as working a four-hour shift from 2215 to 0215.----From this time sheet doesn't look like it's on there.

Yes. So, were there ever occasions when on a – let me ask you this question. The site time sheets were provided to SNP?---Provide from Sydney Uni.

20 To SNP, are you aware of that, they were scanned and sent to SNP?---Yes, they sent them to them as well, yes.

So was there ever any occasion when a query was raised with you by anyone from SNP saying there's a discrepancy between the site time sheets and the invoices and the schedules which the invoices which SIG has sent? ---Yes.

There were occasions?---Yes.

30 And what, were the discrepancies identified by SNP and that was conveyed to SIG?---They email us saying this shift not there or how many hours supposed to be on that for (not transcribable) Fisher Library, how many hours? Then we go back to communicate with Emir or Frank or Darryl.

And what would happen then? What, a change would be entered into the site time sheet, would it?---It might be.

40 Okay. There hasn't been any change entered on this occasion. Does that suggest to you that the issue wasn't raised?---I'm not sure that's the final copy received.

Okay.

THE COMMISSIONER: I think you said it came by email, the query came by email from SNP?---It does, yes, but, yes, most of the time it was sent by email.

Did sometimes they ring you?---Yes, they ring office.

Did you ever speak to somebody in SNP?---I did.

Do you recall their name?---Troy, I think Dominic.

Is that two people or one person?---Two people.

Troy and Dominic.---Troy did the most of the time, later on I didn't do the invoice that much I think the, it was another lady talking to the girls more now.

10

Do you know who that was?---Can't remember, should be in the email they send to us, yes.

Okay. Thank you.

MR ENGLISH: I just want to change subject if I can. Perhaps those folders can be returned from the witness, please. You gave some evidence earlier, Ms Li, about weekly payments made by Tommy or on his instruction to Mr Balicevac, Mr Lou and Mr McCreadie. Do you know if Tommy gave any other gift or rewards to any of those three gentleman?---I think the like gift card, can't remember give to who he did gave some gift card.

20

When you say he, do you know which one of those three, start with Emir, was he given give cards by Tommy?---I can't recall now for, whether Emir got the gift card or not.

What about Darryl?---I can't recall.

And Frank?--It's too long, I can't remember exactly yeah.

30

It's something that Tommy would offer, is that right?---Yes, yes.

What about to Mr Smith of the University, do you know Dennis Smith?
---Yes by the name.

You never met him?---No.

What did you heard, what did you understand his responsibilities were?
---What I know is his, his the high level with management for university.

40

Did you know of Tommy meeting up with Mr Smith on occasion?---Yes.

Where did they meet?---Should be Sydney Uni.

At Sydney Uni?---Yes.

And how many times do you know Tommy met with Mr Smith?---I think few times but can't remember how many times, yes.

And you spoke of gift cards, did Tommy offer gift cards to Mr Smith to your knowledge?---He did offer but I don't think Mr Smith take it.

Were any other offers made and potentially accepted, offers made by Tommy and accepted by Mr Smith in terms of gifts or benefits?---Sorry, to who?

Did Tommy offer any other gifts or benefits to Mr Smith?---Yes.

10

What were they?---One is a dinner. I, I think it's for his, for Smith and his wife, a dinner. And another one is for the, for the hotel. It was cancelled at the last minute.

So you've spoken of a dinner and a hotel.---Yeah.

In your memory is that two separate occasions?---Yes.

And how many times, is it just the once that you recall Tommy taking or
20 arranging for a dinner for Mr Smith?

MR BENDER: I object. The evidence wasn't it was offered to Mr Smith. I don't think it's been arranged (not transcribable) evidence.

MR ENGLISH: I'm grateful, thanks. Is it just the once you're aware Mr Sirour offering a dinner to Mr Smith?---Be honest, I don't know. Is I only get the request, Tommy ask me to arrange (not transcribable) know he offered.

30 THE COMMISSIONER: So he asked you to make the booking, did he?
---Yeah.

Thank you.

MR ENGLISH: And you made a booking, did you, for a dinner once?---I think so, yes.

If page 5 of volume 2 can please be brought on the screen. This is an
40 extraction report. It's been blacked out for privacy reasons but it's from your phone, Ms Li. If we can go to page 6, please, the next page. You can see that there's a discussion between, is it yourself and Mr Balicevac?
---Yes.

On 9 August, 2015.---Yeah.

At the bottom of the page Mr Balicevac says, "Update. Dennis going to talk Daryl tomorrow to organise internal job position available to show to TL as

fair race, but put me in. They going to lunch job tomorrow or Wednesday.”
Do you see that?---Yes.

And if we can just go over the page. At the top you can see you respond,
“Great.” It says, “Keep lor-key. No one know.” I think that should read
“low-key”. You say, “Okay,” and then Mr Balicevac says, “I mean no one
meant to know as show fair go, et cetera.”---Yeah.

10 Do you know what that’s about?---I probably might be, we’re going to take
the Sydney Uni job (not transcribable)

So if we just go back to page 6, “Dennis,” that’s Mr Smith, “going to talk to
Daryl tomorrow to organise internal job position available to show to team
leader as fair race, but put me in.” So “put me in”, that’s Mr Balicevac. Put
him into what, do you understand?---I think that is about the shift I
mentioned about, whether he can cover the Camden bus.

20 Whether he can - - -?---He’s saying he’s, they, they have a discussion but
probably he’s busy but still put him on the shift.

For the Camden bus, is that your evidence?---Yeah, that’s right. On the top
(not transcribable) I mentioned there’s a shift for Camden bus, can he cover
it.

This is talking about “a fair race” and he’s got to show it as a fair race so no
one else can know. What’s so controversial about a Camden bus run shift?
---Be honest to you, I’m, I’m not really understand about “fair race”, this
language, but my attention was at that time was want him to cover that shift.

30 Well, if you look at, on page 6 it says “to show to TL”. What’s TL mean?
---I think team leader.

40 Then you say, “Great.” And then it goes on on page 7. Your conversation
continues where Mr Balicevac, after he says, “I mean no one meant to know
as show fair go, et cetera,” there’s a smiley face, “Lynn, Monday to Friday.
Good job, I believe. I hope Tommy stay as we spoke before.” Mr
Balicevac had a job Monday to Friday, didn’t he, with SNP? Or perhaps not
exactly those days. He had a full-time position at SNP, didn’t he?---Not
sure. Yeah, yeah, that, I’m not sure that time Emir is with SNP or with SIG.

It goes on. You say, “I won’t say anything,” and then you say, “But we
need more good guards in Sydney Uni.” “We”, that must be SIG, mustn’t
it?---That’s right.

You’re trying to, you’re trying to get some more business for SIG, are you?
---Like the guards in there probably not doing proper job. Should have
good guards.

There's an emoji provided to you, and then Mr Balicevac says, "Lynn, as soon as I get there as guarantee we'll ring them. We're going to make easy way to get them. I be good with Dennis. When this happened, me, Daryl and Tommy to take Dennis dinner, et cetera. No one know." See that?
---Yeah.

That's not about a bus run, is it?---No.

10 No. What's it about?---I believe if more guards, Tommy brings more guards there, makes the job, makes the job easier. If the relationship between he and Emir and Dennis very good, so will be easier.

If we just look at this line that I drew your attention to from 11.51.31. It says, "Lynn, as soon as I get there, as guarantee I will bring them. We're going to make easy way to get them. I be good with Dennis."---Maybe he can get the job at, in university. So he here as a client to SNP.

20 That's right. Isn't that what Mr Balicevac's saying? If he can get in with the uni and get close with Dennis, he'll be able to get more business for SIG.---Yeah.

And you seem to think that's quite a good proposition. Would you agree with that?---Good position for - - -

You think that would be a good idea too.---Yeah, probably, yes.

And you agree that you shouldn't say anything about it if you look at your entry at 11.43.---Yes, I did.

30 So why was it so secretive? Why couldn't you say anything about it?
---Sometimes he doesn't mean anything. So when he tell me don't say, I just not saying it.

Well - - -?---(not transcribable) but I report this to Tommy, you know, yeah, that's - - -

40 Well, it's the case, isn't it, that you know at this stage I suggest to you that Mr Balicevac is employed by SNP and he's trying to get a job with the university and then trying to assist SIG with increasing its guard numbers, and you know there's something wrong with that, don't you?

MR O'BRIEN: I object to that.

THE COMMISSIONER: I'm sorry, I can't hear you.

MR O'BRIEN: I object, Commissioner. When asked earlier, the witness said she wasn't sure if at that stage Mr Balicevac was working for SIG or SNP, and in those circumstances that answer cannot be – the question

cannot be answered unless she's aware if he's working with one group or the other. Unless it can be, of course, independently put from the evidence so far gathered by the Commission's investigation.

MR ENGLISH: My friend's right. I withdraw the question actually. I'm instructed that at this time Mr Balicevac was still with SIG, working for SIG. So, he still is, just assume that for me, he's working with SIG. He's trying to get a job at the university, is he, directly? Is that what you're discussing?---I believe, yes.

10

And you can't let anyone know because ordinarily that job would have to be properly advertised to show a fair go, I think is as Mr Balicevac said you at 11.42 on page 7.

THE COMMISSIONER: You're asking the witness's understanding?

MR ENGLISH: Well, I was hoping that could be brought on the screen. That's right, your understanding that you couldn't say anything about it because you had to show a fair go because the job had to be properly advertised and it looked like Mr Balicevac was going to be awarded this position? Is that what you understood?---I didn't even, I, I believe I didn't even pay attention to show the fair go stuff. I just say okay or I don't talk, I don't say it means, I feel this, this didn't even happen, so I don't even want to talk about this.

20

Now, what about what's proposed at 11.51.31, "Me, Daryl and Tommy taking Dennis to dinner." Do you know if that ever happened at around that time?---I don't know, yeah.

Now, if page 60 can please be brought on the screen. So again, if you'll accept from me, this is an extraction report from your phone, although it's been redacted in the notes section. If we go over the page, you can see at page 16 on 29 September, 2015, there's a message with a link, "Waterfront," with a link, "Restaurants." Do you see that?---Yes.

30

"Lynn, we get him this, if possible." So you see that?---Yes.

Him, is that Mr Smith that's being referred to by Mr Balicevac, to your understanding?---That's the restaurant, I think, he want me to book for them, for, for him.

40

He, Mr Balicevac, wants you to book it?---Yeah.

And for him, that's Mr Smith?---Yes.

If we can go to page 62, there's a request by you for his full name and for his wife, and then the name's provided and then there's a discussion towards

the bottom of the page about it being the restaurant in The Rocks, you've asked that.---Ah hmm, yep.

And then over the page, you ask, "Hi, Emir. Could you send me Dennis's home address and pick up time and drop off time." Why did you ask that?
---I think they, he want us to organise a hire car for Dennis.

And that was ultimately arranged, wasn't it?---Organised?

10 Yes. Was it - - -?---Yeah.

And you say at 2.19, "Drop off at the hotel, right?" And then you've been a bit more specific shortly thereafter, "Drop off from hotel to home on the 6th of the 10th at 10.00am." So it looks like it's a hotel stay and dinner. Would you agree with that?---That's right.

With a hire car to pick up and drop back at home?---I think so.

20 Now, that conversation is occurring on the 29th of the 9th, 2015, and do you remember anything going on at that time that had any influence on what Mr Balicevac was asking you to organise?---At that time?

Yeah, at that time.---What Emir ask me to organise?

Well, do you know why he asked you to organise this dinner, the hotel stay, dinner and the hire car?---I can't remember what's the reason because it's between, if you see on the message, it's he and Tommy agreed, then they informed me to organise.

30 So you're taking care of the administrative arrangements, are you?---Yeah.

If we go to page 64, please. I'm sorry, can we just go back to 63. At 2.20.36, I think this is a reference to what you just said, Mr Balicevac saying, "Drop off from home, 10.00am and pick up from hotel, 10.00am, that's what me and Tommy agreed." And then he says, "Lynn, OMG, if you didn't get involved it would be crazy?" And what do you understand he's referring to there?---Tommy always say yes to what Emir tells him and but he never do it actually and this didn't happen until Emir talk to me, said did Tommy talk to you about these bookings sort of things. Then I ask
40 Tommy and then Tommy say yes.

Page 64, please. You can see there it seems you sent a photo of the car that's to be arranged to pick up Mr Smith.---Yes, I believe.

Was the type of car important to Emir, did he say that to you, it had to be a nice car or something?---I think because, I sent the photo because the driver is Tommy's friend, one of Tommy's friend provided this car and he's the driver.

THE COMMISSIONER: Do you know his name?---I can't remember his name, yeah.

MR ENGLISH: At the bottom of page 64, you go on to say what check-in time will be at the hotel.---Yes.

You're arranging a pick-up time for Mr Smith. Over to page 65, suggestion at 10.37 by Mr Balicevac that Tommy would embarrass us a lot.---Yes.

10

And it goes on, "Is this guy serious?" And Mr Balicevac says again, "Look, Lynn, these things we should take serious," and you say, "I know." What are the things that should be taken seriously that you know about or knew about?---For, for me personally, if he say yes, he, he should do it.

He, what Tommy?---Yes, Tommy.

So if Tommy's going to offer something, he should make sure it happens? ---Yeah.

20

And then you say, "We need to be careful." Careful about what?---For what I know, that's the management of Sydney Uni and we work, and SIG work for, provide a service there. So at least don't let them to get the bad impression for, for the company.

Now if we go to page 79, please, we can see an email sent from customer.service@booking.com to tommy@sinternationalgroup.com identifying a booking at the Shangri-La Hotel for two nights with a total of \$850.---Yes.

30

Now that email address tommy@sinternationalgroup.com, did you have access to that email address?---Not on my phone.

But at work did you?---Oh sorry - - -

Did you have it at work, you had access to this email address?---Yes.

You organised, if I understand your evidence correctly, you organised this booking didn't you?---I shouldn't be organise, I can't remember how come she use Tommy's email address here.

40

Well, if we go to page 82, we can see an email from tommy@sinternationalgroup.com to reservations.slsn@shangri-la.com, do you see that?---Yes.

Your name cc'd or your email address is cc'd lyn@sinternationalgroup. ---Yes.

And you said, "Hi, please find the credit card authorisation for the booking of Dennis Smith. If there is any problem please don't hesitate to contact me."---Yes.

It's your name that's signed off the email.---Yes.

So would you agree it seems that you're arranging this using Tommy's email account.---Yes.

10 If we go to the next page we can see that you filled in a credit card authorisation form in respect of the stay.---Yes.

THE COMMISSIONER: It seems that you used own credit card.---Yes, I don't know why, I think probably at that time Tommy wasn't in the office, was always on the phone with him and the credit card was always us, yeah.

So you would have paid and he would have paid you back.---Yes.

20 MR ENGLISH: I'm sorry, Commissioner.

THE COMMISSIONER: You're right.

MR ENGLISH: Then if we can turn to page 89, please. It seems like you made a reservation on 29 September, 2015 and provided an authorisation form.---Yes.

This was for Mr Smith's benefit was it?---I think so.

30 Well, the booking we just looked at was a check-in on 4 October, 2015 and the check-out on the 6th, and on 29 September you're making a booking reservation and the receipt's going to be provided to you on Tuesday the 6th, so it seems to be the same period.---Yes.

Then if we go to page 96, please, you can see that you've received an email from someone at the Dockside Group who provided a receipt for Mr Smith's reservation last night, being the 5th. Then if we go over the page - -
-

40 THE COMMISSIONER: Where are we? I think - - -

MR ENGLISH: Sorry, Commissioner, that's page 96.

THE COMMISSIONER: Yes.

MR ENGLISH: If we go over the page to page 97, we can see the receipt and a customer copy for payment. So, it seems Mr Smith was picked up probably on 4 October, taken to the hotel, left, I think it was on the 6th and had dinner on the 5th. Did you receive any feedback from Mr Balicevac or

anyone as to whether he enjoyed himself?---I think, I believe Emir said he really enjoyed.

Oh, that's good. Any in particular, was it the hotel that was good or the restaurant or both?---I think both.

Now, you were asked to do something similar again for Mr Smith in 2017 to organise another hotel stay, were you not?---Yes.

10 This time it had to be cancelled, did it not?---Yes.

Can page 98 please be brought up on the screen. Now again, this is your, an extraction report from your phone. If we go to page 99, you're having a discussion with Mr Balicevac again. You say, "Free to call you?" That's at 11.19. And then at 12.01 you ask Mr Balicevac "King bed or double bed?" He says, "King." You say, "Darling Harbour view or Opera House view?" Do you see that?---Yes.

20 Response is, "I believe Opera would be better." It seems you might have had a phone call before you sent those last four messages to Mr Balicevac about arranging a room. Do you recall that at all?---I, I remember, yeah, but I think probably he didn't answer, he busy, that's why I text message him.

Then you say you checked, this is at the bottom of page 99, "The Opera House View with breakie only available one night. Is that okay for one night?" It's suggested to you over the next page that "Two nights would be better to be honest." Mr Balicevac says at 2.04 that "He likes Four Season but doesn't have to be. He prefer good view to be honest." Who do you understand he was referring to there, that's Mr Balicevac?---Looks like
30 Dennis know about the booking.

In light of that answer, do you recall having any face-to-face discussion with Mr Balicevac about this booking you're discussing here by way of text?
---No.

You go on, on 27th February, 2017 to say Dennis's hotel has been booked two nights with breakie and you've got an Opera House view and Harbour Bridge north view. Do you see that?---Yes.

40 Mr Balicevac says, "Excellent, thank you." Now, if you go to page 102, please. You can see that a booking was eventually cancelled on 24th of February, 2017.---Yes.

Do you recall why it was cancelled?---I think may be some, one of the, one of Dennis's families sick.

So there was some sort of family issue or emergency that made the booking have to be cancelled.---Yes.

Go to page 138 please. Again, I'll just ask you to accept it's an extraction report from your phone. If you can go to the next page it says, "Looks like SNP will go for sale." Do you see that?---Yes.

Do you recall having discussions with Mr Balicevac about that prospect?
---Maybe yes.

10 When you say maybe, you do recall it or you don't or maybe it would go to sale or maybe it wouldn't go to sale?---They always talk about SNP going for sale from - - -

Okay and was there. I'm sorry.---From Tommy or from Emir.

And was there some concern that if SNP did go for sale then SIG might end up with less hours at the university?---Is Tommy might be can take, or SIG want to take over the Sydney Uni contract, Tommy wants to.

20 So, so Tommy wanted to take over the Sydney University guarding contract.---Yes.

What and, did he see the potential sale of SNP as an opportunity in that regard did he?---Yes, may be Sydney Uni was think you guys on sale, may be they think it no good.

Might that be a convenient time, Commissioner.

THE COMMISSIONER: Yes certainly.

30 MR ENGLISH: Yes, no worries.

THE COMMISSIONER: Till 10 o'clock.

AT 4.01PM THE MATTER WAS ADJOURNED ACCORDINGLY
[4.01pm]