

GERDAPVT00808  
04/02/2019

GERDA  
pp 00808-00849

COMPULSORY  
EXAMINATION

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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC  
COMMISSIONER

COMPULSORY EXAMINATION

OPERATION GERDA

Reference: Operation Gerda E17/0445

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 4 FEBRUARY, 2019

AT 10.00AM

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

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

THE COMMISSIONER: This is a further compulsory examination of Qin Li, otherwise known as Lynn Li. Mr Drewett, do you seek authorisation again to appear?

MR DREWETT: I do. Yes, thank you. I'm instructed by Dr Accoto, who sits next to me at the bar table.

THE COMMISSIONER: All right. That authorisation is granted.

10 MR DREWETT: Thank you.

THE COMMISSIONER: I think the witness took an affirmation last time. Is that - - -

MR DREWETT: Yes, and she was afforded the protection of section 38 last time. I'd ask that you make a further order if one needs to be made in the circumstances.

THE COMMISSIONER: Certainly. Certainly, Thank you.

<QIN LI, affirmed

[10.25am]

10 THE COMMISSIONER: I propose to make some directions, as I did on the last occasion. I firstly direct pursuant to section 31A of the Independent Commission Against Corruption Act 1988 that the following persons may be present at this compulsory examination – Commission officers, including transcription staff; Counsel Assisting; the witness; and the witness’s legal representatives, Mr Drewett and Dr Accoto.

20 I also propose to make a nonpublication order pursuant to section 112 of the act restricting the publication of information with respect to this compulsory examination. The direction will prevent those present today, other than Commission officers, from publishing or communicating information relevant to this compulsory examination. It will permit Commission officers to publish or communicate information for statutory purposes or pursuant to any further order made by the commission. The direction may be varied or lifted by the Commission without notification if the Commission is satisfied that it is necessary or desirable to do so in the public interest.

30 Being satisfied that it is necessary and desirable in the public interest to do so, I direct pursuant to section 112 of the Independent Commission Against Corruption Act 1988 that the evidence given by this witness, the contents of any exhibits tendered, the contents of any documents shown to the witness, any information that might enable the witness to be identified and the fact that the witness has given evidence today shall not be published or otherwise communicated to anyone except by Commission officers for statutory purposes or pursuant to further order of the Commission.

40 **BEING SATISFIED THAT IT IS NECESSARY AND DESIRABLE IN THE PUBLIC INTEREST TO DO SO, I DIRECT PURSUANT TO SECTION 112 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 1988 THAT THE EVIDENCE GIVEN BY THIS WITNESS, THE CONTENTS OF ANY EXHIBITS TENDERED, THE CONTENTS OF ANY DOCUMENTS SHOWN TO THE WITNESS, ANY INFORMATION THAT MIGHT ENABLE THE WITNESS TO BE IDENTIFIED AND THE FACT THAT THE WITNESS HAS GIVEN EVIDENCE TODAY SHALL NOT BE PUBLISHED OR OTHERWISE COMMUNICATED TO ANYONE EXCEPT BY COMMISSION OFFICERS FOR STATUTORY PURPOSES OR PURSUANT TO FURTHER ORDER OF THE COMMISSION.**

THE COMMISSIONER: Now, Ms Li, that means, as I said last time, that what happens here stays here and you’re not at liberty to speak to anyone,

apart from your lawyers, about your evidence. Do you understand that?  
---Sure.

And it's a serious criminal offence if you breach that order.---Sure.

All right. Now, on the last occasion, your barrister asked for a section 38  
declaration and I made that declaration and I'll do so again and just confirm  
that you understand its effect. I take it, Mr Drewett, and without  
transgressing any advice you've given - - -

10

MR DREWETT: Yes, it's been explained to my client what that means.

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

20

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

30

THE COMMISSIONER: Now, I remind you, Ms Li, that the protection you  
get in terms of the use of your evidence in any criminal or civil proceedings  
– that is, it can't be used – has an important exception, and most importantly  
that it won't protect you if you give false or misleading evidence. I'm not  
suggesting for one moment you're going to, but just bear in mind that if you  
don't tell us that truth you can commit a very serious offence which can lead  
to imprisonment for up to five years. Do you understand that?---Yes, I do.

40

Thank you. Yes, Mr English.

MR DREWETT: Commissioner, just before my friend gets to his feet, there  
is just one matter which my instructing solicitor has raised with the solicitor  
assisting, Counsel Assisting, in relation to this witness. I don't think it will  
be an issue, I think it's under, under control and in hand, but Ms Li is the  
mother of a four-month-old child, she is breastfeeding. The child's not with

her here at the Commission. There may be a time during the course of her giving evidence, or hopefully during a convenient break time, where she will need to express some milk and things of that nature.

THE COMMISSIONER: No problem with that at all. I think, I think last time you were here, you were just about to give birth, weren't you?---Yes.

I think. Was it a baby girl?---Baby boy.

10 Baby boy. Yeah, that's my memory.

MR DREWETT: Thank you, Commissioner.

THE COMMISSIONER: There'll be no problem about that at all. If you just let us know, no problem.---Thank you.

Mr English.

20 MR ENGLISH: Thank you, Commissioner. Ms Li. --- Yes.

I'm going to ask you some questions today with a view to you providing assistance as to the interpretation of some of the documents that were prepared by SIG, your former employer, is that right?---Yes. Former, yeah.

The documents will come up on the screen but I've also in some respects prepared them in hard copy so that you can flip through some of the different documents, you might need to do that. If you need to take some time with these questions, by all means.

30 Commissioner, if I can just hand this bundle to the witness.

THE COMMISSIONER: I think there might be one there for me too, is there? No. That's all right. That's okay.

MR ENGLISH: I'm sorry, Commissioner.

40 THE COMMISSIONER: No, no. I did have a discussion with Mr Baine, I just can't remember exactly what was said. It can come up on the screen anyway.

MR ENGLISH: If you can, I think there's a tab 1 and a tab 2, if you can open up tab 1, please, Ms Li.---Yes.

And perhaps if page 30 can come on the screen, so that's volume 4A.

THE COMMISSIONER: Thank you.

MR ENGLISH: Well, if we start there you can see, Ms Li, it reads, "Sheet 1," and it identifies the week ending 28 August, 2016. Do you see, do you see that?

---Yes, I do.

If that can just be increased a little bit, thank you. Now, this is a summary of the work performed by SIG guards at various sites, is it not? You start with something called AFTRS at the top - - -?---Yes.

10 - - - and it moves down, can the page be brought down, please, RIDBC, TAFE, TAFE Ultimo and then if you go down further, please, you see Sydney University appears.---Yes.

And it's the case, isn't it, that where a guard has completed a shift using their own name it's identified in yellow, at least for Sydney University. Is that right?---I think, yeah.

20 And the orange indicates that an assumed name or a false name has been used for the purposes of completing the shift. Is that right?---I, I, I can't say exactly the orange, yellow, is the other name because most of the job done by the other girls, so for this probably, yes.

Sure. So this, as at 28 August, 2016, you're saying that this sheet was completed by some of your co-workers in the SIG office?---Yes, yes.

30 It's a sheet, isn't it, that you created, a template you created?---This one? Ah, for the, how do you say, like, yes, should say, yeah. But for the colours, you know, it depends, you know, you use this colour, the other colour the girls do it. Yeah.

Sure. So you would provide a training to your fellow staff in the office as to how to use this, this sheet for the purposes of SIG's business?---Yes.

If I can ask you to turn, perhaps it can be brought on the screen, to page 47. Now, you can see, and if you need to refer back to page 30 that I just drew your attention to, please, by all means. If that can, if that sheet can go back to the top, please. You see this time it's recorded as SNP week-ending, it's the same week, 28 August, 2016?---Yes.

40 This time it's identified as new in brackets. Do you see that?---(No Audible Reply)

So page 47 says the sheet's called new.---Okay.

And do you see when you look at 30 it identified it as sheet 1, on page 30? ---Yeah.

Okay. Now, if you focus, if page 47 can be taken to the bottom of the page, please. Now, if you're looking on the screen at page 47 and you compare that with page 30 which you've got in front of you - - -?---Yeah.

- - - and I appreciate you don't have a colour copy of page 30 unfortunately, but you can see it seems at first glance there is some similarity between those Sydney University entries. Do you, do you agree with that?---Yeah.

10 Can I just draw this to your attention. On page, on page 47 you'll see there's an entry Peter Walsh - - -?---Yes.

- - - for Wednesday.---Yeah.

Now, if you turn to page 30 you don't see that entry for Peter Walsh. ---That's right.

Now, similarly if on the screen we can go to page 50, please.---Yeah.

20 That will come up on the screen, Ms Li.---Okay.

And if we go to the entry for Tuesday, Parwiz Shariffee, do you see that? ---Yeah.

And if you turn back to page 33 - - -?---Yeah.

- - - do you see that you can't see that entry for Parwiz Shariffee beneath Isaac Yanni on page 33?---It's not on the sheets.

30 It's not there, is it.---No.

On page 33, that entry's not there, is it?---No.

You're agreeing with me?---Yeah.

Similarly if 50, if page 51 could be brought on the screen, please, and if we go to the bottom, please, you'll see there's a gap there between Saturday and Sunday.---Yeah.

40 Now, if you turn back to page 34 you'll see that the last entry for Saturday was in the name of John Dirienzo, D-i-r-i-e-n-z-o. Do you see that?---Sorry, 34, which one?

Page 34, yeah.---Yeah. Which, which - - -

Do you see that John Dirienzo, do you see that entry at the bottom of Saturday?---Yes, that's right.

But that entry doesn't appear on the screen on page 51. Do you see that?  
---That's right, yeah.

Similarly if you look at the screen you'll see two entries again for Parwiz Sharifee on Sunday.---On page 50?

On the screen, yeah, on page 51 there's two entries for Parwiz Sharifee. Do you see those?---Yes.

10 And if you look at page 34 - - -?---Ah hmm.

- - - you don't see those names.---That's right.

So just sought to highlight those discrepancies - - -?---Ah hmm.

- - - between those two sheets which otherwise I suggest to you seem quite similar. Can you explain, please, to the Commission what is the difference to your understanding between sheet 1 and the new sheet that I just drew, drew to your attention, other than what, other than the respects I've taken  
20 you to, why was there a need to create two different sheets?---Okay. For my understanding is, sheet 1 is sent to SNP, I'm not sure the correct one sent to SNP, there's one sheet sent to SNP and there's a sheet like they use the names according to what the guards sending us the time sheets. So according to the guards sending us, they will create the sheets, probably that's sheet 2, yeah.

So just, just if you can assist me in this way, is it the case that guards would send through names and the first sheet which starts at page 30 would be compiled by the staff in the SIG office using the names that had been  
30 submitted by the guards in their personal time sheets. Is that right?---Should be, I'm not sure that's the right sheet 1, but sheet 1 should be according to the site's time sheets they created that sheet.

The site time sheet.---Yeah.

Thank you. Okay. So then what is the additional information that's relied upon to create the new sheet which I took your attention to which starts at page 47?---If that's the second sheet, because we receive the time sheets from the guards are different than the site time sheets, then that's why we  
40 need put them in all the, are they did the shifts or not.

Sure. Just on that issue about which one comes later, if page 76 can be brought on the screen. Sorry, I'll start with page 75, if that can come on, please. So this is the invoice from S International to SNP Security, bearing the date of 31 August, 2016. Do you see that?---Yep.

If we go to the next page, you can see attached to that is the schedule of guard names and hours that were performed in respect of each site.---Yes.

If we can go to the bottom of the page, please. You'll see there, it reads, "Sydney University Patrols, Codrington Street." Do you see that?---Yes.

And then we go to the next page, please, and you can see there that there's a list of guards in respect of that particular task, spanning Monday to Sunday and you can see that this particular schedule of entries includes the name Peter Walsh. Do you see that?---Yes. I, yeah.

10 And do you recall I asked you some questions about the absence of Peter Walsh in the spreadsheets?---(No Audible Reply)

When we first started, I was drawing your attention to page 30 --- Yeah, yeah.

And also to page 47, and if you go to page 47, you can see that it's in the new spreadsheet that Peter Walsh's name appears. Do you see that?---Yep.

20 And then you'll see Peter Walsh also appears in the, in the invoice that's -- I withdraw that.---We sent.

That's right. In the schedule that's accompanying the invoice sent to SNP. ---Yes.

So it seems, just tell me if you agree with this, that what would occur, is that guards would send in their personal time sheets?---Yep.

There'd be some sort of reconciliation of those time sheets --- Yeah.

30 With the site time sheets?---That's right.

There may need to be amendments made to the site time sheets and also as a consequence a further schedule created by SIG office staff, is that right? ---Yes.

And then when everyone was content that the guards' names which had been supplied, matched the site time sheet - - -?---Yeah.

40 - - - and that there was no rostering clash or other issue with respect to the use of those names - - -?---Yes.

- - - those names, as they appear in the schedule, which starts at page 47, would then be used as a basis for invoicing?---47 one, yeah, based on, yeah.

And of course what was sent to SNP in the schedule of names and invoices identified assumed names where shifts had been performed using another guard's name and licence details, that's correct, isn't it?---Can you repeat again, sorry?

The schedule of invoices that were sent to SNP. --- Yeah

Which you see commencing ---- Yeah.

At page 76, that of course included false names for the purposes of the shift, didn't it?---Yes, yes.

10 Now, if I can ask you to please turn to page 64, or perhaps that can just be brought on the screen. That's, as it reads, a SIG schedule after tax, do you see that?---Ah hmm.

And it's for the same period, ending on 28 August, 2016?---Yeah.

And in this schedule – let me start again. Is this a document that you originally created, a template?---Yes.

20 And again, it's a document that if someone else came to the office, you would have provided training to those staff as to how to fill it in and use it? ---Yes.

And it identifies, as you can see, the guards' names, their rate of pay, do you see that?---Yes.

How many hours – where it says total hours, that's how many hours they are to be paid each week, isn't it?---Yes. Oh, some of them might be two weeks. Some of them, because like, maybe didn't get paid last week or they didn't, forgot to send in their time sheets. That's what I, yeah.

30 Okay. And then it's identified how much they're to be paid and there's, in the note section, some information as to how that calculation is arrived at. Do you see that?---Yes.

40 Now, was it the case that there were sometimes discrepancies insofar as guards would claim a certain amount to be paid in their personal time sheet – I withdraw that. They'd claim a number of hours that they worked in their personal time sheet, but when they were ultimately paid, there might be a slight discrepancy between the hours they claimed and what they were actually paid by SIG?---You, can you repeat again?

Sure. --- Yeah.

I'll come back to this in more detail in due course, but from time to time was it the case that a guard might claim - - -?---More hours?

Well, more or less, a certain figure, say 10 hours in a particular week, and once a reconciliation was done by the staff at, at SIG, that figure has some variation to it?---Yeah, yeah. Did happen.

That's right. And so in those circumstances would guards be informed of the difference between the amount they had claimed and the amount they were paid?---They do. They, we normally do inform them if there's difference.

10 Okay. Now, can I draw your attention, please, to page 68. Now, you'll see there that there's what appears to be a summary at the bottom left-hand side of the page. If we perhaps go over on to page 69, you can see that blown up in a bit more detail. Do you see that?---Yep.

Now, can you give some assistance to the Commission as to these figures and what they represent?---Sure.

Perhaps, if it's easier to do it by reference to the previous page just let me know, but you see a figure there in red that – well, first, total PMT, what's PMT?---Payment.

20 And then you've got wage, \$18,567.5. What's that, what does that represent?---The guards, everyone at SIG on the book.

So they're the people that are identified as being legitimate employees for the purposes of tax, superannuation, leave, for those sorts of matters?  
---That's right.

Okay, So you've got then, an entry that says "transfer money", in brackets "MIN", do you see that?---Yes.

30 And under the heading Total Hours, it identifies the figure 112,785.5.  
---Yeah.

What is that?---I believe it's the 131, the total payment minus the wage.

So that's the total payment that goes out to guards who are off the books each week, is that right?---Yes, that's correct.

And then you've got Bashir invoice in an amount there. Who is Bashir and what does Bashir invoice mean?---He's a subcontractor.

40 When you say a subcontractor, what, what, what services does he provide to SIG? ---Security service.

So he supplies guards, does he?---He do, yeah.

And that's a payment made to Bashir to cover the cost of those guards, is that right?---Yes.

Is that the same with Adnan Saeed? You can see that there's an entry there as well.---He's, he's only a security guard under kind of ABN number.

Right. So, so he provides an ABN number to SIG and gets paid pursuant to that arrangement, does he?---Yeah.

10 So, and that's obviously different from those who are on the books – sorry, I withdraw that – from those who are off the books, they're not, they're not supplying an ABN number, they're just, they're just being paid in cash?---  
Yes.

Now, there's a figure of 110,169.5. Do you see that?---Yes.

I take it that's the figure representing transferred money minimum, less the Bashir and the Adnan amounts, is that right?---I think so, yeah.

We have a calculator here. If you need one at any time, just let me know. ---If you calculate, if that one minus these two should be 110.

20 I'll hand you a calculator if I can. If you want to check anything, by all means do.---Yes.

Okay, and then that seems to be broken up into the two figures to the right of that.---Yeah.

Is that right? And again if you need to use a calculator, by all means. I think they do add up, those. 24,200 plus 85,969.50 equals that figure to the left?---Yes, that's right. Yes.

30 So what do those two denominations represent, do you know?---24,200 is just a set. Doesn't mean anything.

Just a set. What, you mean a subset, do you?---Just like set amount, like probably we transferred this amount on Monday because there's cash limit to get out.

40 Okay. Well, if there's a cash limit, on your evidence it would have to be a cash limit less than \$85,969. Is that right? Or do you mean the account didn't have, didn't have sufficient funds in it to make a bigger payment? I mean, can you just clarify that, please.---I think to get money from the bank, like, you need to order, order the money. So I think they don't give you a lot, like over hundred, I'm not hundred per cent sure exactly, but they told the, the guy, like (not transcribable) so we should transfer a little bit first.  
Oh - - -

So --- Hundred --- ? ---

I might come back to this, Ms Li.---Yeah.

THE COMMISSIONER: I think, I think the witness was about to say something.

MR ENGLISH: Sorry. I'm sorry, Commissioner.

THE COMMISSIONER: That's okay. Had you finished?---Oh, yes.

MR ENGLISH: If we go back to the table on the left-hand side, there's PH  
10 Group 125.---Yeah.

And then there's a figure in green.---Yes.

PH Group, is that for Pharaohs Group?---Yes.

And what does 125 mean, if anything?---Invoice number.

Okay. And that's an invoice to SIG or could it be to another company that's  
20 an invoice from Pharaohs Group?---Should be SIG. Might be there's, can't  
remember, there is a USB, but I think it should be SIG, yeah.

Okay. And then there's Taymour CHQ.---Yeah.

That's Mr Elredi, is it?---Taymour, yeah.

And when you say cheque, you've repeated that figure of 84,416. What is  
that representing?---He need to get a prepared cheque for that.

He needs, so Mr Elredi needs to prepare a cheque in that amount, does he?--  
30 -Yeah, for, minus the \$2,000 plus his wage, yeah.

So what's the \$2,000 for?---Is Tommy give to Taymour's money.

But then you've said plus wage, so what's the difference between 2,000 and  
the wage?---Sometimes he do some shifts as well.

Now, when you say 2,000, Tommy gave Taymour some money, what was  
the purpose of – to your understanding – of Tommy giving Taymour some  
40 money?---They, after they discussed, Taymour become a subcontractor onto  
SIG. Like, agreed how much a month Taymour need to take from Tommy.

Sort of as a weekly wage payment or something?---Yeah.

There are some more figures on the right-hand side once the screen – I'll  
wait for that to come back on. As you can see, there's a figure, a series of  
figures starting with 5,575, and then they seem to, at least that subset seems  
to end at 18,377.5. Do you see that?

MR DREWETT: 5,577, Counsel Assisting.

MR ENGLISH: 5,577. Thanks, I'm grateful. Can you explain, do they have a correlation, that first sort of grouping of figures that you can see there?--- Yeah.

So you've got 5,577.25. What's that, Ms Li?---I believe (not transcribable) like hours. I guess it's hours, yeah.

THE COMMISSIONER: Yeah. Seems to be out by one I think.

10

MR ENGLISH: Yes, the five and the six, that's right. And then the 4,911, is that the hours - - -?---I guess as well, yeah.

Pardon?---I don't know why it's there.

Well, that's the 4,911 seems to correlate with 112,785, which was the amount less the on-the-books wage payments, as I understand it.---Oh.

20 From your evidence. So is that the hours, is 4,911 the amount of hours to be paid off the books?---I think so but I'm not a hundred per cent sure, yeah.

Okay. Then it says AUSP. That's a company related to Mr Sirour, is that right? ---That's correct.

So you've got 96 there. Is that again hours?---Sorry, I don't, I don't know for this, yeah,

30 Okay. --- Because I didn't prepare this part.

Sure. You've got SIG and some other figures to the right, 568.5 and 664.5, and then some dollar amounts. Do you know if they represent hours?---I believe that's the hours, but why the writing?

Well, Ms Li --- Yes.

If I can just draw your attention to AUSP.---Yeah.

40 If you go 5,477 divided by 96, that ends up at \$57 – or 57, rather. Does that assist in any way of working out what those figures represent?---(Not transcribable) you, you used 5,477?

That's right.---Divided by 96?

Yes.---Doesn't look like. Even the hourly rate going to be too high as well.

Too high there?---Yeah.

When you do the same thing for the SNP entries, it would seem that there's an hourly rate of around \$23. Do you agree with that? Do you want to just make those calculations yourself? If you look at 568.5 and the dollar amount there, and you do some calculations there, you should be able to come to an hourly rate.---Okay. Yeah, that looks reasonable, yeah.

Well, the second, the second series of numbers, 664.5 and 18,567.5, when you, when you do the computations on those, you end up with something like \$28.---Okay, yeah, that, then should be, yeah. Yeah.

10

So are you able to explain the difference in variation between 23 and \$28 in terms of this spreadsheet?---Doesn't mean anything I think.

Okay. So if page 70 can please be brought on the screen. Now, here's an invoice from Pharaohs Group to Australian United Security Professional Group. Do you see that?---Yes.

It's for \$50,000 exactly.---Yeah.

20

There's invoice number 126. How if at all does this correlate to the page we've just been looking at, which is page 69?---126. Before is 125, yeah.

Is 125, that's right. And if you see on page 69 which you have in front of you - - -?---Yeah.

- - - the AUSP reference is 96 and 5477, so there doesn't seem to be a correlation between what's, the figures apparent on page 69 and this invoice. Would you agree with that?---Yeah.

30

If you go to page 71, or if that's brought on the screen, that's a Pharaohs Group invoice this time to S International Group Pty Limited, invoice number, well, it says 20083 for 24,200. Do you see that?---Yes.

Now, that correlates with the figure 24,200 on page 69. Do you see that?---That's right.

40

And then if you go to page 72, or if that's brought on the screen, you can see an Australian United Security Professional Group invoice – sorry, I withdraw that – a Pharaohs Group invoice to Australian United Security Professional Group with invoice number 128 and that's for \$38,000. Do you see that?---That's right.

And again if you go back to page 69 there doesn't seem to be a figure that correlates with that \$38,000 amount. Do you agree with that?---Yes.

So as I understand it, these invoices that I've just taken you to from pages 70 to 72 were created if not by yourself, by one of the office staff at SIG. ---Yes.

And you or those staff members had access to the Pharaohs Group email?  
---We don't have.

Well, how was it - - -?---Unless the girls in the Rockdale office, they, they see Pharaohs, yeah, they, they should have the access on there, yeah.

Okay.---In the Rockdale office.

10 So did you create this Pharaohs Group invoice template that we see for example on, can the pages be brought down on the screen, please, well on the, a bit further to show the page number, 72.

MR DREWETT: Sorry, Counsel, are you asking her whether she created the template or whether she put the information in (not transcribable)

MR ENGLISH: Created the template. So if we can just go back a bit, please, to the top of the page. Is this an invoice for which you created the template for Pharaohs Group Pty Limited?---I, I don't know be honest to  
20 you because for what I remember he did ask us to create the invoice template for him for Taymour. I'm not sure 100 per cent is he created and then he sent it to us by email and we use this, his template, or we created for him, yeah.

And so that's the template.---Yeah.

But when it came to filling in the information that was always done by either yourself or another office member at SIG. Is that right?---That's correct.  
30

MR DREWETT: I object to that on the basis of clarify and the Commission doesn't want to be misled. Is my friend asking specifically whether this witness created this, put the information on this particular one or in general terms in relation to similar - - -

THE COMMISSIONER: I think, I took it as he's talking about general practice that there's some uncertainty as to who created the template, but I think the point he's seeking to make is that somebody within SIG actually put the figures into this, whether it was this witness or one of the other  
40 bookkeepers. I think that's what you're saying, isn't it, Mr - - -

MR ENGLISH: That's right.

THE COMMISSIONER: Yes. Perhaps just clarify that.

MR ENGLISH: Sure, sure. It's the case, isn't it, that either yourself or another office member from SIG would enter the information for example as you see on the invoice that's on the screen now?---Yeah, they, they did it.

Okay.---Basically, yeah.

So do you recall, in relation to the series of invoices I've taken you to, do you recall whether you entered any of the information into these invoices? That's from pages 70 to 72?---70 to, did I enter the information?

That's right.---I'm 100 per cent I didn't enter.

10 You didn't.---You, I didn't.

Okay. All right. Now - - -

THE COMMISSIONER: Can I ask you this, why are you 100 per cent sure you didn't enter it?---Yeah, because for period of time I'm not in the office that much, long time, and for these things I mentioned to them, I tell them, you need, we need to do for Pharaohs, to do the invoice, so the girls did it. So basically I don't do this, yeah.

20 MR ENGLISH: Okay.

THE COMMISSIONER: Thank you.

MR ENGLISH: Thank you, Commissioner.

Now, just looking, if we go to page 70, please, so this is invoice number 126 to, I'll call it A USP. Who is A USP?---Tommy's other company, yeah.

30 And why is it that this invoice on the Pharaohs Group Pty Limited template is made out to that company for \$50,000, do you know why?---(No Audible Reply)

Did Tommy give you instructions to - - -?---Yeah, he does, but - - -

- - - create invoices in this manner?---What I can think is a few reasons might, might be. One is not enough money in Australian United Security's account, he, he might need it, and other probably is probably SIG, they, they want to get the cash out, so SIG's account can't take too much out so they transfer some to A USP as well.

40 So you said SIG's account might have too much money in it, so it transfers money to A USP.---Yes.

But in this invoice here it's Pharaohs Group invoicing A USP, so are you saying that potentially before this invoice was rendered, money was transferred from SIG to A USP to pay this bill?---Probably, yes.

Now - - -?---I think the main reason is to take cash out.

Okay. And, and why did Tommy want to take cash out of SIG?---To pay the guards.

Okay. Well, why not pay them from SIG's account to pay the guards then? ---You mean directly?

10 Yeah, directly.---If directly to pay the guards there's too much expenses, like superannuation stuff, so he want to use subcontractors to reduce his part, the expenses.

So paying superannuation is a legal requirement, you understand?---Yes.

So he wants to avoid a legal requirement in paying superannuation.---Yeah.

And he's asked you to – I withdraw that. He's instructed you to, you or your office staff - - -?---Yeah.

20 - - - to prepare invoices such as we see on page 70 - - -?---Yeah.

- - - from Pharaohs Group to United Security Professional Group for the purposes of avoiding those legal obligations. Is that right?---That's correct.

Now, you mentioned superannuation. There are a number of other legal obligations that can be avoided by rendering invoices in this fashion, aren't there. We spoke a moment ago about leave entitlements.---Ah hmm. He never paid leave entitlement.

30 Did he tell you he didn't want to do that?---Yeah.

He told you he didn't want to pay superannuation?---I told him it's, we have to pay for the super but he said that so we don't put a lot of people on the book.

So you told him you have to do it, and he gave you instructions to avoid it by taking people off the books?---Yeah, onto the books, yeah.

40 Well, well off the books, isn't it?---If you put people on the books, so we need to pay more superannuation. If off the book, so subcontractor going to pay their, yeah (not transcribable)

THE COMMISSIONER: I think isn't the point this, that on that scenario Pharaohs Group as a subcontractor would assume those liabilities? They would never pay them, of course, but - - -

MR ENGLISH: Well, that's right, Commissioner. Can, can I ask this as well. If you, if you look at the bottom of the Pharaohs Group invoices, Ms Li.---Yeah. Yes.

If we look at page 70, for example, you see that GST is charged.---Yes.

Now, if SIG paid its own wage bill, it wouldn't be paying a GST component, would it?---That's right.

So instead it pays a - - -?---GST.

10 - - - an invoice rendered by Pharaohs Group which includes GST. That's right?---Yeah.

And it can claim an input tax credit for that GST payment, can't it?---But the 50,000 is not saying he did this actual work. Is according to would we need the cash, would Tommy need how much the cash, he divided it to give to him.

But SIG had an accountant?---Yes.

20 And SIG would pass these invoices from Pharaohs Group onto its accountant?---Yes.

So the accountant would see that SIG, for example, in relation to page 71, has paid a GST amount on that invoice.---That's right.

And the accountant, one would assume, would naturally claim that as a, as a tax credit for the benefit of SIG.---Yes. Yes. Yes.

30 And if SIG had paid its guards the wages itself, that's a tax credit it never could have claimed, correct?---That's correct, yes.

What about payroll tax, Ms Li?---Yeah.

Did you ever have a discussion with Tommy about trying to avoid payroll tax?---He discussed with me before, until we reach the level we need to pay the payroll tax, the accountant told us we need to pay the payroll tax. Then he, of course he trying to avoid that.

40 So, so trying to put guards off the books to avoid the payroll tax as well? ---Yeah, yeah.

Now, what about workers' compensation premiums? Did, didTommy ever say anything about a desire to avoid or reduce those payments?---(No Audible Reply)

You're nodding.---Yes. Yes.

What did he say there?---Similar, like, I did notice there's so many. Yes, workers' compensation, tax, payroll tax, superannuation similar. It's all the same thing, yeah.

Can page 143 of volume 4 please be put on – sorry, 149 of volume 4 please be put on the screen. If you see this is a subcontractor's statement.---Yes.

The subcontractor is identified as Pharaohs Group Pty Ltd.---Yes.

10 Is that a document, I'm not saying you've seen this one, but have you seen a document of this nature, where the subcontractor's identified as Pharaohs Group Pty Ltd before?---Yes.

Okay. If we go to the bottom of the page, you can see a signature. Do you see that?---That's right.

Do you recognise that signature?---Yes.

Whose is it?---Should be Taymour.

20

Okay. Can we go back up the page a bit, please. See the handwriting there where it says, "Entered into a contract with S International Group Pty Ltd"?--Yes.

Do you recognise that handwriting?---Yes.

Whose is it?---Mine.

30 So, just at the, you can see it talks about work for the period that we're looking at, which is between 22 August, 2016 and 28 August, 2016.---Yeah.

And then it includes some matters that are attested to and then there's a signature of Mr Alredi that you've identified. And you've filled in the date, have you? I think that's, is that 29 August, 2016?---Should, yeah, that, that date I didn't write, but should be, yeah.

Okay. So can I ask you this?---Yes.

40 How was it that you entered the information at least by hand where you've identified on this form?---Can you repeat again?

Sure. How did you come to enter this, this information on this form?---How do I get the information?

Well, let me ask you this. When you, you entered the information by hand, was the document already signed by Mr Elredi or did you then take it to him for it to be signed?---He signed already.

So he's signing a blank document.---But we explained it to him.

Well, what, is he signing a bundle of blank documents in advance?---He signed one page.

And then you photocopy that one page, do you?---Yes.

10 Okay. And then you fill in the details where we can see on the screen in handwriting, which you can see there, is that right?---I've, I write the S International Group ABN number. The date is the girls, yeah.

Okay. So, but you said you explained it to Taymour. What did you explain to Taymour?---Basically that's, I said that it's a subcontractor statement. He should know this one as well because he do the job with other company as well for the, yeah.

20 Do I understand from that that you explained to him once the nature of the statement - - -?---And I mentioned to Tommy and Tommy told him to sign in, yeah, in the office, I believe. I can't remember in the office or not but, yeah, these, they done together, (not transcribable) yeah.

Okay. And then this document, you didn't go back to Taymour every time – sorry, I withdraw that. Can I, can I say, have you filled in documents of this nature on more than one occasion?---For Pharaohs or - - -

30 For Pharaohs. Like the one we're looking at. Have you done more, have you done, have you filled in this information on additional documents such as this that contain Taymour's photocopied signature?---With Taymour's signature?

Yes. This isn't the only document that you've filled in this information we can see on the screen, is it?---I can't say hundred per cent. I'm not hundred per cent. But this one is, yeah.

Okay. And when you filled in this information that we can see on the screen --- Yeah

40 Did you tell Taymour that you were filling it in at any time?---We send it to, we, we didn't, like, for every week, every week invoice. Now we did do this one and the invoice. I don't think he, I can't say he knows or he doesn't know, but we're doing this, yeah.

THE COMMISSIONER: Every week one of these would be filled out? ---Yeah. But I think that he should know because he signed, you know, this thing, I don't know.

MR ENGLISH: But on your evidence he's only signed one.---Yeah, that's right.

So unless - - -?---But we photocopy in front of him I think.

You photocopied, you photocopied one in front of him?---Probably, yeah.

So , and then each week you're filling it out and relying on a statement of this nature that bears his signature.---Yeah, yes. Yes, that's right.

10 And are you informing him each week that it's relied upon, that it's gone out, and are you giving him a copy of the version that's gone out or not? ---He should know, but I can't, I can't say I really informed, but, yeah, I can't remember exactly that I informed, yeah.

And tell me this, if we just look at the form, you see under "B" – it's a bit difficult to read, it's been partly obliterated --- Yeah.

20 There's a statement that says "All workers' compensation insurance premiums payable by the subcontractor in respect of the work done under the contract have been paid," and it identifies a certificate of currency for that insurance, which is attached and dated 31 March, 2017.---Yeah.

So there you're identifying a certificate of currency that is dated in March 2017 but you're signing a document for – if we can bring the document down a bit – you're signing the document in August of 2016.---Ah hmm.

So what are you referring to at paragraph B?---Well my understanding, for the March 31, the '17, it's the expiry date for the workers' cover.

30 Okay so that's the expiry date, not the - - -?---Yeah

And have you seen it?---Yes. He, he sent us his workers' compensation certificate.

So that'll be in the records of SIG somewhere, will it?---Should have, yeah.

So if you look at D, and it says, "Where the subcontractor is required to be registered as an employer under the Payroll Tax Act, subcontractor is paid all payroll tax due." Do you see that?---Yeah.

40 Do you have any, any understanding as to whether Pharaohs Group Pty Ltd - - -?---Paying payroll tax.

- - - is registered under Payroll, the Payroll Tax Act?---No. I don't think so. We, we don't know, yeah.

THE COMMISSIONER: Probably not, hey?---Yeah.

MR ENGLISH: Okay, if ---

THE COMMISSIONER: I'm sure this fellow wasn't prepared to take on these liabilities for \$2,000 a week. I mean - - -

MR ENGLISH: That might be right, Commissioner. If page 31 of volume 4B can please be brought on the screen. You won't find that in your folder, it's just going to come up here.---Okay.

10 If you just hold on, Ms Li. Perhaps if that can just be enlarged slightly.  
Now, this is a document that you haven't created, Ms Li, so it's just a sketch of the transfer of moneys pursuant to the Pharaohs Group invoices that I took you to, and if you want to look at them, remember they're from page 70, 70 to 72. So perhaps if I can assist you this way. If you look at the Pharaohs Group box, do you see that?---Yes.

20 You see that it invoiced in red A USP, sorry, it invoiced – let me just make sure I don't mislead you here. It invoiced A USP for \$24,200 and that was invoice 20083, which you can find on page 71. And the blue line indicates that that money was then paid to Pharaohs Group in connection with that invoice.---Okay.

And if you look at the other line that runs towards the bottom right-hand side of the Pharaohs Group invoices, you can see that there's invoice number 126 to SIG. I'm sorry, I am, I think there is, I think there might be a bit of a confusion in the, in the form, or at least the way I'm reading it. The A USP invoice is for \$50,000 and that is invoice number 126, and then there's another A USP invoice number 128, which is for \$38,000. Do you see that in red?---Yeah.

30 And then the invoice that I took you to a moment ago for \$24,200 was invoice to SIG and you can see there that in this case at least, from A USP, it identifies that \$50,000 was paid back to Pharaohs Group, as was \$38,000, and then there was also a further amount of \$5,500. Do you see that?---Yep.

So far the Commission hasn't been able to locate an invoice from Pharaohs to A USP for \$5,500. Do you have any idea how that money could have been transferred from A USP to Pharaohs?---Not sure, yeah.

40 Not sure?---Yeah. Unless to make up the figure but I don't know why it's 5,500.

You can see, moving from the left of the Pharaohs Group box, there's an identification of the cheques drawn. There's one for 55,500, do you see that?---Oh, yep.

24,238.---Yeah.

Now, if you, if one adds those up, it comes to \$117,200. Do you see that?---  
Yeah.

And if one looks at the total sum of money transferred from SIG and A USP  
to Pharaohs, so those, those two figures which are on the right-hand side of  
the box or the multiple figures there, one ends up with, 24,200 plus 50,000  
plus 5,500 plus 38,000, and that comes to the figure of 117,700. So you can  
see there's a \$500 difference between what was paid that week to Pharaohs  
Group by A USP and by SIG and the cheques that were drawn. Do you  
10 know what that \$500 might represent? Is that money to Taymour, for  
example?---Maybe Taymour worked on that week, like, as a security guard.  
It's possible, yeah but not exactly 500, it's very strange.

Could I draw your attention upwards of the chain on the left-hand side.  
Now, there's a cash amount that identified that it's provided to Lucas  
Webber at Paragon Risk Management. Do you see that?---Yes.

Who, well, what is Paragon Risk Management? It's a company but is it  
linked to Tommy?---No. It's, we, we are subcontract to them.

20

You subcontract to them.---Yeah. So, Paragon, we're the subcontractor of  
Paragon Security.

Sorry, are you, Paragon ?---Yeah.

Is that a place, is that a building, what is that?---Oh, it's a security company.

Okay, so ---

30 THE COMMISSIONER: I'm not sure I follow that. So 24,200 is being  
provided by who to Webber?

MR ENGLISH: By Mr Elredi, I understand, is that right? That's what, I  
know this isn't your document, but that's what's identified there, that of the  
cash withdrawals that Mr Elredi makes, he pays 24,200 to Mr Webber. Is  
that something that happened on occasion, to your understanding, that Mr  
Elredi would be instructed to make cash payments to Lucas Webber?---Not  
going to, he, he, he might not know but he should know, he, Lucas is one of  
the client.

40

THE COMMISSIONER: He's one of, one of Tommy's clients?---Yeah.  
Yeah. --- Like, Paragon Security, they have guards. They might put their  
guards on our books, then we paying these guards using Taymour's  
payment, Taymour's money.

MR ENGLISH: I'm going to take you through a couple more of these  
documents, Ms Li --- Yeah.

And they seem to suggest that a reasonably substantial cash payment was made to Mr Webber on each four occasions.---Is there one, one lot or - - -

We'll come there in due course, but can I just ask you this, who was Lucas Webber, do you know?---Yes.

Who? Was he related to Paragon Risk Management?---No. I'm not sure whether relate.

10 THE COMMISSIONER: Tell us what you know about him.---He is the manager of the Paragon Security and he do the roster for a lot of the site for the client and he give work to Tommy, say can you cover this, cover that, and he's also put his own guards, Paragon Security guards, on Tommy's book. Yeah, not on book but cash side, yeah.

MR ENGLISH: So if he's saying to Tommy, he gives work to Tommy and says cover this, cover that - - -?---Yeah.

20 - - - shouldn't he be paying SIG, or shouldn't Paragon Security be paying SIG?---Yes, yeah, he does, but the cash part is for the guards I think.

So he says he wants to put his guards through the books at SIG.---Yeah.

Okay. Why, do you know why he'd want to do that?---The same reason, they don't want to put the guards on the book I guess.

But, but then - - -?---So to reduce the cost.

30 So is he taking advantage of the scheme that's in place with Pharaohs to avoid paying what we discussed before, superannuation, annual leave, GST and the like?---For their company, yeah.

Right. So this scheme that was set up using Pharaohs Group Pty Limited - - -?---I'm not sure he knows use Pharaohs or not, but he knows Tommy give him cash.

Yes, okay.---Yeah.

40 So Pharaohs Group was used not just as a means of paying the guards - - -? ---For SIG.

- - - for SIG - - -?---That's right.

- - - but Tommy was offering it as a service by which other - - -?---Yes.

- - - security companies could pay, have their guards paid in, in a means that was off the books?---Yes, that's right.

And was Tommy charging for that service?---Charge who?

Charging for example Mr Webber or Paragon Security. Was he charging for that service to - - -?---He invoiced them, yes.

Well, he, he invoiced Paragon Security and they would pay, would they?--- Yes, they do.

10 And would some of those invoices relate to the fact that he was offering a scheme whereby they could save money by avoiding legal entitlements?  
---Yes.

So, Ms Li, perhaps we're getting to the answer to this question, but if you see, or if you're taken to page 75, this is at volume 4A, okay now if we can, that's the invoice that I took you to earlier for this period from SIG to SNP. And if we go to the bottom of that you can see that it's for \$81,799.30.--- Yes.

20 And then if you go to page 105, or if that can be brought on the screen, you see here that this is a remittance advice and you can see there that that invoice that I just drew your attention to from page 75 is identified first for \$81,799.30.---Yes.

And you see that appears to have been paid on 12 September, 2016?---Yes.

So that's SNP for this week being paid from – sorry, I withdraw that. That represents the fact that SIG for that period ending on I think it's 28 August, 2016, has been paid by SNP \$81,799.30. Right?---Yes.

30 Okay. However, if we go back to pages 71, 70, 71 and 72, SIG has paid out more than it's been paid from SNP, it's paid out pursuant to those invoices – I withdraw that, sorry. The total amount paid out pursuant to those invoices to AUSP and to SIG is 112,200.---To Pharaohs?

Yes. So there's three invoices from Pharaohs.---Yeah.

One to AUSP for 50,000.---Yeah.

40 One to SIG for 24,200.---Yeah.

And another to AUSP for 38,000.---Yeah.

And that comes to 112,200.---Okay.

Right. So I appreciate there's two different companies there, there's AUSP and SIG, and it will be more, it will be clearer when I take you to an example when it's only SIG in a week, but here it's seems that the amount

coming in at least to SIG is less than the amount going out to those two companies. Do you see that?

---Can you repeat again?

Well, I, I showed you that SIG has invoiced for this period 81,799.---That's right.

Okay. But pursuant to the scheme that Tommy's put in place - - -?---Ah  
hmm.

10

- - - involving Pharaohs - - -?---Yeah.

- - - A USP and SIG have paid out a combined amount of \$112,200.---Yes.

So there's a difference of some \$30,000 there.---Yes.

Where does that \$30,000 come from?---From other company.

20 Okay. So what other companies does it come from?---For example Paragon Security and there's, there's, I'm not sure 2016 were the clients, probably there's some other direct contract Tommy has.

And is this, these other contractors, are they contractors who are paying Tommy to have their guards put through Tommy's scheme of using them off the books?---Yes. Or that's one of the example, yes, and, and he has other sites except Sydney Uni, like, he has Channel 10 as well, the guards working directly with Tommy, so should be there as well. And there's other residential buildings he has direct guards working, so should be included as well, yeah.

30

THE COMMISSIONER: I'm not sure I follow that.

MR ENGLISH: I'm trying to work it out too as well, Commissioner.

THE COMMISSIONER: So this difference of \$30,000 - - -?---Yep.

- - - from where would it come, where does it come from?---From other clients.

40 Like Paragon?---Yeah, Paragon, Channel 10, other residential buildings, but they pay monthly, so he might be not getting it that week but he get it in the long term, yeah.

MR ENGLISH: Okay.---But Paragon should be every week, yeah.

Okay. And Channel 10 - - -?---Yeah.

- - - I would assume they're not asking Tommy to be involved in a scheme of paying guards off the books, you said they went directly to Tommy, were they on the books, the Channel 10 guards?---Not 100 per cent.

You're not 100 per cent sure or not all the guards were on the books?---Not all the guards are on the book.

Okay.

10 MR DREWETT: Is this a suitable time for a five-minute break?

THE COMMISSIONER: Yes, yes.

MR ENGLISH: Yes, can we, can we have a short adjournment, please, Commissioner?

THE COMMISSIONER: Yes, of course you can. Before you do though, the figure of a hundred and-- just bear with me for a second.

20 MR ENGLISH: 112,200.

THE COMMISSIONER: Is that the figure of the - - -

MR ENGLISH: It's close, on page 69, if that could be brought on the screen.

THE COMMISSIONER: 69. So is the witness suggesting that that 112,785 would not have related entirely to say the Sydney University Campus?

30 MR ENGLISH: I think, I think that's right.

THE COMMISSIONER: Yes.

MR ENGLISH: If we can just bring this on the screen, do you see there, Ms Li?---Yeah.

You gave some evidence about the minimum amount required - - -?---Yeah.

- - - for off-the-books payments, 112,785.---Yeah.

40

So that's payments in respect, that covers payments in respect of guards who are not just at Sydney University but at other sites?---That's correct.

And that includes also those guards such as from Paragon where Tommy said, I'll pay your guards off the books.---Yeah.

Okay. Is that convenient time?

THE COMMISSIONER: Yes, it certainly is. Thank you.

**SHORT ADJOURNMENT**

**[11.39am]**

THE COMMISSIONER: Are you okay?---Yes.

Good. Mr English.

10

MR ENGLISH: Thank you, Commissioner. If page 69 of volume 4A could be brought back on the screen, please. So, Ms Li, you recall I asked you some questions about this page earlier on. You'll see that there's the reference to PH Group 125 and you'll see that's a Pharaohs Group invoice number 125.---Yeah.

And you see that I took you through the Pharaohs Group invoices before we had the short break.---Yep.

20 We couldn't find a Pharaohs Group invoice number 125. Have you got any explanation as to why that might not, at least so far as the Commission has been able to, exist?---I think before we saw the invoice there was a one two--

There was a 126 there.---- -126, yeah. It's all from A USP, to A USP, not to SIG actually.

Yeah, that's right.---So I thought it was SIG, actually should be A USP then to the invoice.

30

That's 126, there's not a 125. Because if page 74 can be brought on the screen. So just come down just a touch, please. That's great, thank you. You'll see that figure 84,416 in the bottom left-hand corner.---Yep.

Do you recognise this document, Ms Li? That's not your, it's not your handwriting on the document?---No. No.

40 Is it similar to the type of document that you've seen be sent to Mr Elredi for the purposes of him making his payments?---Yeah. Yeah, for the, the document, should have sent it to the, Taymour, yes.

To Taymour?---Yeah.

And so down the right-hand side, it's identifying the cash, the denominations of cash that need to be withdrawn.---On, the right-hand?

On the right-hand side, do you see that?---57?

Yeah, down there.---Yeah. Should be, yes.

And then there's the, the 27,274.50 figure, that's a figure that represents the amount of money to be deposited in to Commonwealth Bank accounts.

---Yes.

And then if you, I think if you add those two figures, that gets you to the 84,416 figure, do you see that?---Yes.

10 So just by reference to what I showed you on page 69, you know the PH Group 125 for that same amount – well I withdraw that. That identifies an amount of 86,416, do you see that, on page 69?---69. Yeah.

So, I mean, that seems to suggest, doesn't it, that it's, there's an extra \$2,000 payment which you've identified also on page 69 for Taymour and then plus that amount of 84,416.---Yep.

20 So ordinarily would you expect to see an invoice from Pharaohs Group to SIG or one of these other companies in, in that precise amount that's identified in green there, 86,426?---That's correct.

Okay. --- Shouldn't have this invoice.

So can you explain why there's the difference? On this occasion, there's those invoices that I think add up to \$112,200 but here, we don't, we don't see an invoice for 86,416. Do you know why that might be?---You did, I'm not sure, did you find out for A USP bank statements, there is no Pharaohs 125? Maybe the girl missed.

30 Okay. --- Yeah. Normally if we transfer, we, according to the previous one, like if previous 124, we should be 125, like that.

THE COMMISSIONER: Yeah.

Just briefly - - -?---If last week is 124, should be 125 ---? ----

Sure. --- But I'm not sure exactly why there's no 125, yeah.

40 Okay. Just briefly, if page 106 can be brought on the screen. Just, I'm sorry to go back to the questions that I was just asking you about but could it be that – you gave some evidence I think earlier about this, that perhaps there wasn't enough money in the SIG account to cover that figure of 86,416, so perhaps it was restructured to use invoices to A USP and to SIG. Might that be the answer? I'm not suggesting it is, I'm just wondering if you might agree with that.---I can't remember at that time, SIG have enough cash money in the account. At the beginning A USP amount is more than SIG in the account, then they start a transfer from A USP to SIG. Then later on, A USP services started stopping, then SIG transfer to A USP more money.

And this, this scheme whereby Mr Sirour would offer other companies the ability to have their guards paid off the books through SIG, did he offer that service through AUSP as well?---You mean AUSP to other company?

That's right, yes.---Yes. He does at the beginning, yes.

10 And any other companies that Mr Sirour was involved in, did he offer that service through?---Other company, I think. I'm not sure the Egroup is the same or not but Egroup, Egroup, yeah.

He might have offered that service through a company called Egroup, is that right?---Yeah.

Is Egroup still registered?---Yes. Is a company.

Are there any other - - -?---I think they called Egroup, E Security Company or, they change so many times now.

20 Do you know of any other companies associated with Mr Sirour?  
---Associated?

Where he's the director?---For what I know is AUSP and SIG. No other company.

What about Egroup, who's the director of Egroup?---I have no idea. Yeah, he's a big company. Yeah, Egroup is a big company.

30 So, so when you say, so is Mr Sirour offering the service to Egroup or is he involved with Egroup's management?---Offer service to Egroup, yeah.

Okay, thank you. Sorry, if we just go back to page 106. So, these are documents here at least that identify the, is it the on the books wage payments made by AUSP for the same period?---Yes.

And there's a, there's some slight discrepancies. If you see, for example, the far right-hand cell on the first column, that one there, 4812, the total is different in the bottom - - -?---The period are different.

40 Thank you. So, this is for fortnight, thank you---Yes.

And then the same applies in respect over the page, on page 107, the same applies then in relation to SIG. These are the on-the-books payments for those periods, is that right?---Yes.

Okay. I'm going to ask you some questions now in relation to the documents behind tab 2 of that folder, which, Commissioner, is volume 5A.

THE COMMISSIONER: Thank you.

MR ENGLISH: Can page 68 please be brought on the screen. Okay, so you might recognise this type of document, Ms Li. It purports to be a schedule from 24 October to 30 October, 2016. Do you see that?---Yes.

And it's similar to the one that I showed you before, is it not, about the payments made by SIG for that period.---Yes.

10 To its guards and employees.---Yes.

So you'll see here there's another column inserted next to First Name, to the left of First Name. Do you see that?---Yeah. Yes.

And it doesn't have a heading, but it identifies certain details. Can I just ask you to explain what those references are, starting with Guardforce. Who's Guardforce?---It's company.

20 Okay. --- Security, security company.

And what's its relationship with SIG?---We're subcontracting to Guardforce.

Okay. So Guardforce is the contractor and SIG is the subcontractor in that relationship?---Yes.

Okay. Thank you. What about N10?---Network 10.

30 Okay. And there's SNP. Does that mean, is that again a reference to a subcontracting arrangement between SNP and SIG?---SNP, yes.

Okay. There's seven, there's PR.---Paragon Security.

Okay. So is that a subcontracting arrangement, then? Or is that what you spoke of earlier, whereby the service is offered for Paragon to have - - -?---It would depends. Sometimes we did like security service. They did ask Tommy to cover the shifts. And it's include part and then other part is they give guards to Tommy.

40 Okay. Where Tommy – I, I withdraw that. This offer that Tommy provided or made to other companies to have their guards paid off the books through one of his companies, or by Pharaohs, does that apply to any of the other businesses identified in that second column? So you see Guardforce, did Guardforce ever have its guards paid by SIG off the books?---From what I remember, it's hard to say. They have a site and they, they, they ask the other contractor there, and then they ask Tommy to take on their guards.

Right. --- So I don't know it's saying they're offering or not, but, and then later on Tommy started putting his guards in and if the guards not good But the Guardforce, they do have their own guards working there as well.

Okay. ---- Yeah.

What about Network 10 you said was a direct relationship between Tommy and Network 10.---Yes.

10 And he supplied guards to them, some of which were paid on the books or off the books, is that right?---Yes, that's right.

But Network 10 wouldn't know whether the guards were paid on the books or off the books, would it?---I don't think so. Yeah.

What about Guardforce? Would it know whether the guards that were provided to its site were paid on the books or off the books?---I'm not sure whether they know but there's mainly dealing with one of the guards on the site. He kind of a site supervisor. Tommy dealing with him more.

20

What, what was his name?---Patrick.

Do you know his last name?---No, his name should be on the, on the list.

Okay. We might get up to him. Glad Security?---Yeah. It's Glad Security.

Okay so that's at number 12. Was that a contracting/subcontracting arrangement or was that the offer to have its guards paid off the books by Tommy?---Oh, it's subcontracting to Glad.

30

So SIG subcontracting to Glad?---Yes.

There's Yates Security. Or it says Yates, I'll withdraw that.---Yates Security, yes.

Is that at, that's at line 22.---Yes.

What type of arrangement did SIG have with Yates?---Yeah, the subcontracting.

40

Did it have, to your knowledge did it know – that is, Yates – whether Tommy's guards were being paid on the books or off the books.---Yates Security only one site and it's all Tommy's guards there, yeah.

If I just ask you that question again. Do you know whether Yates was aware as to how Tommy was paying the guards for that site?---I don't think they knows, yeah.

At line 27 there's a T. Do you know what T is?---I don't know T represent to, what it represent.

It appears again at 33.---Maybe CTTT.

Well, you'll see that in relation to T for this particular week - - -?---Yeah, that, I think - - -

10 - - - they're not paid anything, those two guards.---Oh, yeah. I think CTTT is one of the SNP site.

What about Triton Security? Does it maybe stand for that?---Yeah, Triton.

Triton. T-r-i-t-o-n?---No, no, I don't think so. T I think is CTTT because the Bashar Toma work at the CTTT there. There's any other T? Just these two? Because this, the, the front one I think is for the guards where they're working most of the time. The sites, yeah.

20 If you go down to line 40, there's E Event.---Yeah.

What does that represent?---Yeah, like Egroup. Like Egroup Security.

Okay. --- They have another company called E Event.

And that's the company you mentioned earlier?---Yeah.

THE COMMISSIONER: Are they at Petersham? Do they operate from Petersham?---I think so, yes, yeah, that's right. Yes.

30 MR ENGLISH: Over the page, on page 69, at 48 there's Epica.---Yes.

What's Epica?---Epica is a residential building Tommy have a direct contract with.

THE COMMISSIONER: What about 43? Have we got that one yet? ---Yeah, that's where the SNP site.

40 MR ENGLISH: If I take your attention to line 129 on page 70. You spoke about, I think about, it was Patrick at Guardforce, wasn't it?---Yes, that's right.

And Patrick Miller, is that who you meant - - -?---Yes.

- - - that Tommy had the relationship with?---Yeah.

On page 171, please, sorry, 71, there's a line 161 and it seems to read "Boian," B-o-i-a-n.---Yeah, he's a direct contractor as well, it's a chemist I think Boian is a chemist warehouse.

Okay. And that brings us to the summary again which you might be able to see with greater clarity on page 74. So just by reference to your earlier evidence, Ms Li, so the total payment is 150,812.---Yeah.

The SIG on-the-book wage payments is 18,163.5.---Yeah.

And that amount, was that roughly stable, that amount, every week for SIG?  
---Wage?

10

Yeah, the wage, the on-the-books wage amount, was it roughly around that amount each week?---Yeah, roughly, yes.

So the minimum money required to make the payment as identified there is \$132,648.50.---Yes.

And then there's some amount to be deducted for Bashar and Adnan.  
---Yeah.

20 And so the total SIG guard payment, is that 122,753.5?---Should be, yes.

Now, in blue there's those two amounts, it says SIG CBA PHG St George invoice 97 and there's an amount of 46,200 and 76,553.5.---Ah hmm.

If you add those up, they are the same as the amount in yellow.---Yep.

122,753.5.---Yeah.

30 So what does, what do those two amounts represent that correlate with the blue entry?---The 46,200?

Yeah.---Plus 76,553.

Yes, but why has it been broken up in that manner?---I think it's bank limit the cash money.

So when you say the limit, do you mean what's actually in the account that day?---Yeah, like I - - -

40 So you don't overdraw your account.--- - - - think can't over transfer 100.

Pardon?---Can't transfer over 100, the money to one account I think.

THE COMMISSIONER: Is the transfer limit imposed by the bank, is it?  
---I think if we transfer to Pharaohs can't transfer over 100. Then 120, we need 122, so we need the transfer 46 first then transfer 76.

Yes.

MR ENGLISH: And then in the row beneath that there's SIG CBA PH CBA INV 98 and figure of some \$78,000 in green.---Ah hmm.

What does that represent, the figure in green?---I think it's after, yeah, the green, the 78,639 should have been 76,553 plus the 2,085.

Okay. And what's the 2,085.50 represent?---I can't remember these two, why these 2,000.

10

Okay.---Because sometimes Tommy need extra cash as well, but I can't remember this 2,085, why it's for.

There's beneath that Taymour CBA cheque, 77,139.---Ah hmm. Maybe is, 1,500 plus his wage.

That includes, does that 77,139 figure include the 1,500 plus a wage amount potentially? ---The 77,139 shouldn't be include the 1,500 plus his wage. Is after.

20

Okay. --- Should be after, yeah.

And so if one reads this schedule in accordance with your evidence, should you expect to find a Pharaohs cheque number 97 for either the amount of 46,200 or the 76,553.5 amount?---Sorry, again? This one?

Do you see in blue it says, it seems to say that there's a Pharaohs Group St George invoice?---Yep, 97, that one.

30

So should there be an invoice 97 that marries up with either or both of those amounts?---The invoicing 97, sorry, I didn't get the question.

You see perhaps I can do it this way. If you turn to, if page 75 is brought on the screen. I'm not trying to trick you, I'm just trying to understand this, Ms Li.---Yeah, understand, yeah.

So if I just rotate this, there, this is actually a Pharaohs invoice. It's 20097 and it's for 46,200. Do you see that?---Yep.

40

So that marries up with at least the left-hand column there.---That's right.

And if we go to page 76, we find invoice number 98.---Yep.

And it's for that amount that you can see there of 78,639.---That's right.

So that seems to marry up.---Yeah.

And is, is that how you'd expect this spreadsheet to work, identifying or correlating with the invoices which follow - - -?---Yes.

- - - and matching in that way?---Should be, yes.

You'll see, if volume 5B page 34 can be brought on the screen, you can see again there's an entry for Lucas Webber about the middle of the page. Do you see that?---Yeah.

10 Suggests that he was paid a cash amount of 46,200 that week.---Yeah.

Do you know for how long Lucas Webber was receiving payments of this nature from Tommy or on Tommy's instruction?---I think for years.

For - - -?---I'm not, yeah, but not sure exactly which year.

Okay. When you say for years - - -?---Is long, because he, AUSP with Paragon Security since I start with, with Tommy was already have work together.

20

And can you remind me when you started with Tommy?---Around 2009 or 2010, something, yeah.

And you'll see, at least in this case, that payment to Lucas Webber of 46,200 seems to match up with the invoice on page 75.---Oh, yeah.

So that was the Pharaohs Group invoice to S International Group for that same figure, 46,200. Do you see that?---Yeah, I saw it, yeah.

30 Is that often what would happen, Tommy would instruct you to prepare, or one of your – I withdraw that – would instruct an office member from SIG to prepare a Pharaohs Group invoice to SIG or maybe AUSP for an amount that was to match a payment that had to be made to Mr Webber?---Or Lucas. Might be but might not. Not, not a hundred per cent sure. Has to match.

Might that be an explanation as to why that figure we looked at earlier of 122,753.50 was broken up into those two parts?---Yeah.

40 So was it the case that sometimes Tommy would give you the instructions as to how much a particular Pharaohs Group invoice should be made out for?---He just want us to put all the cash money on Pharaohs Group. So how much exactly, just random.

If, going back to volume 5A, page 79 can be brought on the screen. Perhaps if that can be reduced in size or at least pulled down so we can just see a bit more of the document. Thank you. Do you see, this another subcontractor's statement?---Yes.

This time the subcontractor is identified as S International Group.---Yes.

And if we go down, you can see it's purported to be signed by Mr Sirour, do you see that?---Yes.

Now, other than the signature, is that your handwriting on this?---No.

10 Okay. Do you know whose handwriting it is?---One of the girl.

One of the girls?---Yeah.

So was it the same situation, that Tommy signed blank forms and they would be filled in by the girls when appropriate?---Yeah. He, he signed it then we store, saved in the copy machine there, yeah, scanned.

So it was the same as the signatures for Taymour?---Yes.

20 Yes. And this subcontractor's statement, if we go back to page 78, you can see that it accompanies the S International invoice.---Yes.

Was a statement, if we can just go back to page 79, was a statement of this nature required to be sent in to SNP with the SIG invoices?---Yes.

Okay. --- They're required to, yes.

30 So just again in relation to B, "All workers' compensation insurance premiums payable by the subcontractor in respect of the work done under the contractor being paid," and then there's a reference to a certificate of currency with that future date, this time 31/08/2017, do you see that?---Yes.

Now, on this occasion – oh, no, I withdraw that. Where there's a reference in B to workers' compensation insurance premiums payable, were they calculated by reference to SIG's entire guard force or did SIG only obtain workers' compensation premiums in respect of those guards who were on the books?---On the books.

40 And was Tommy aware, to your knowledge, that the workers' compensation premium for SIG only reflected the number of guards who were paid on the books?---He knows, yeah.

He told you to arrange it in that form, did he?---He, he doesn't want to pay that much, yeah, compensation.

Did SNP, who this statement's made out to, did they ever request to see a certificate of currency from SIG?---They do, yes.

And that would be provided then, if that request was made, would it?--- Yes.

Did it identify, the certificate of currency for SIG, did that identify the number of guards that SIG was employing, do you know?---Again sorry?

Did the certificate of currency, did it identify how many - - -?---Oh, yeah, they're written there, yes.

Sorry, say that again?---You mean the security currency for workers' compensation?

10

Yeah.---There, there, there is number of employee on the, on the, yeah, yes, and how much the wage.

So SNP, who was receiving the invoices that identified all the guards who purported to work during the week, and that of course included false names, if it wished to do so, it could have compared the certificate of currency and the number of employees identified on the certificate against that invoice? ---They should.

20

What was that? They should have?---They, I think they should (not transcribable) unless they didn't notice how many guards on the, on the, on the certificate of currency. Yeah.

And did you see a certificate of currency for Pharaohs Group?---Sorry, did I see?

Yeah. have you ever seen that?---We, we have his documents, yes.

30

And does that reflect – I mean how many employees - - -?---He didn't put many, for my memory, yeah.

So, it doesn't reflect - - -?---No, yeah.

- - - the total number of guards that Pharaohs Group were at least paying at that stage?---No.

In terms of their wages.---No.

40

Thank you. Commissioner, if that bundle can be collected from Ms Li and we have another bundle that - - -

THE COMMISSIONER: Do you want that marked or tendered?

MR ENGLISH: Marked, I'm instructed. It might be tendered later in the day. At least at the moment, if could - - -

THE COMMISSIONER: Oh, well don't, we won't even worry about marking it. We all know what it is, so look, I'll mark it MFI A.

**#MFI-A – BUNDLE OF DOCUMENTS TITLED 4A AND 5A SHOWN TO QIN LI IN THE COMPULSORY EXAMINATION 4 FEBRUARY 2019**

MR ENGLISH: MFI A. Thank you, Commissioner. I've just got some bundles here. I'll hand one to you, Commissioner, and to the witness and  
10 I've got one for my friends as well. Might they have a marking of perhaps MFI B, Commissioner, if we're - - -

THE COMMISSIONER: The one you just gave me?

MR ENGLISH: Yes.

THE COMMISSIONER: It'll be marked MFI B.

20 **#MFI-B – BUNDLE OF DOCUMENTS SHOWN TO QIN LI IN THE COMPULSORY EXAMINATION 4 FEBRUARY 2019**

MR ENGLISH: Now again, Ms Li, I'm after your assistance in understanding some of the documents behind these tabs.---Sure.

I know there seems to be quite a lot of tabs, but you'll see that once we go through them it shouldn't take too long, I hope. So if I can draw your attention to documents behind tab 1, and they can be brought on the screen  
30 too. That's volume 4, page 85. Again, you might have to do some flipping backwards and forwards here. That's why you've got the bundle. So I'll try and work off the screen, but if you need to go back and forth, by all means. Sorry, volume 4, page 85, sorry. So here is an email which you send, it would seem, to the email address info@ausp for short .com.au. Do you see that?---Ah hmm.

And it's you forwarding on, it seems, Frank Lu's time sheets for the week ending 28 August.---Yeah.

40 Now, is it the case when an email comes from your email address, or lynn@sigservices, you'd be the one who operates that account, is that right?---No. Not only me. Like the - - -

Some of the staff have access to that as well, do they?---Yeah. Yes.

And so here's a time sheet where Mr Lu, Frank Lu, is saying that his total is 210 hours. Do you see that?---Yes.

And you're forwarding it to Australian United Security.---Yeah.

Why is that?---I think there's info, Australian United. I'm not sure why it's forwarded there. Normally it's operating, they send it to lynn@sigservice and I told them don't need to because they should send it to time sheet email.

Sure.---So probably that one is, I don't know why it's Australian, should be sigserviceinfo@sigservice.

10

Okay. So are you trying to share this with the other office employees, this time sheet, or forward it on to them? Is that what you're trying to do here?--  
-I'm not sure this one is I forward or the other girl forward.

Okay. All right. So you can see Mr Lu says that his total week's claim is 210 hours.---Yeah.

20

You can find – if page 86 can be brought on the screen, please – you can see here how Mr Lu has identified whose names he has asked to be used so he can be paid, whose names he's asked to be used falsely so he can be paid. You see that? You're nodding?---Yeah. Yeah.

Now if you look at the entry for the 26<sup>th</sup>. He identifies one shift from 1700 to 0700.---Yeah.

And then there's some other information there which I guess it's left up for yourself or the girls in the office to interpret what to do with, is that right? ---I think so, yeah.

30

I mean, what I'm suggesting to you, or perhaps you can comment, some of these spreadsheets seem to be a little difficult to, some of these time sheets seem to be a little difficult to understand.---Yeah.

40

Was that common, that there'd be sometimes some difficulty in understanding exactly what the person from the university was saying in their time sheets?---The site time sheets are easy to understand because clear the names there. But when they send it to us we're not sure this shift who covered, really covered it. Yeah. That's why maybe they put the explanation so we know this name maybe there it's not really the guards did it, is they did. Like, maybe Frank or Emir, they covered it.

Can I ask you to turn, please, to – perhaps it could be brought on the screen – the document behind tab 8, which is page 64 of volume 4A. So if we can go to the bottom of that page, please, you'll be familiar with that. I've already shown you that document, Ms Lee. But if we go to the bottom of the page, you'll see the entry for Frank at 47, and he's paid for 206 hours. Do you see that?---Yes.

So if we go back, well, you might recall on page 85 he claimed a total of 210.---That's right.

So can you explain why there seems to be that difference in the amount he's claimed versus what he's actually been paid in this particular week?---Might be that four hours not on the sheet, on the site's time sheet. That could happen. Might be there's, he and Emir, they, like, probably this four hours Frank think it's his one, but maybe it's Emir's one.

- 10 So there'd need to be some reconciliation in the back office, is that right?  
---They should have communicate. I don't know whether it's put on the reconciliation, the comment on the sheets, but they, the girl do communicate with Frank and Emir.

Okay. Well, if you just turn to tab 2, and that's volume 4A. I don't think it's got a page as yet. Is that a document we can bring on the screen, or? I think it's coming up. What it is, it's a filtered version of some of the spreadsheets that I've showed you earlier today, and it's been filtered just so it runs Monday to Sunday.---Yeah.

- 20 Rather than being in a non-chronological order. And you can see there that it indicates that Mr Lu's been paid 206 or has been paid for 206 hours down the bottom.---Yes.

Now, can I ask you to turn to tab 3, which is volume 4, page 97. Now, this is Mr Balicevac's time sheet for the same period. And if we go down to the bottom there, you can see – or perhaps if that size can be increased slightly – you can see that he's claimed a total of 216.5 hours.---Yeah.

- 30 If you turn the page – and the filtered version for Mr Balicevac is put on the screen, please – you can see that when the spreadsheet created by SIG is filtered in that chronological fashion, the total hours are identified as 193.50. Do you see that?---Yeah, yes.

- 40 And then if I draw your attention back to tab 8, which is volume 4A on page 64, you can see that the amount that he was actually paid was 218.5. So there's a discrepancy there in that Mr Balicevac says he is claiming 216.5 hours, he's actually paid 218.5 hours, and the spreadsheet – the internal document from SIG – records him being entitled to 193.5 hours. You see that discrepancy?---Yeah.

Can you explain why there might be those discrepancies between these documents?---I'm, I'm guessing yeah, probably the Frank should, he should be 210, he was saying, but here was claim 206, so there's four hours' difference. If we put this four hours for Emir, it's still (not transcribable) 97. Might be, I'm not hundred per cent sure, yeah.

Okay. --- Might be from Daryl, might be from Frank, the difference.

All right. And can you explain why – I appreciate this isn't necessarily a document you created – but can you explain why there's that discrepancy, it appears, between 193.5 hours, which is identified on the document behind tab 4, and the amount that was actually paid, being 218.5 hours?---25 hours.

Which is I think 25 hours.---I'm not sure because, seriously, this one I didn't do it. Yeah, but maybe you can check if there's a comment the paid Emir on the 218, on the side. Maybe they, they write something there.

10

Sure. Do you want me to – that's volume 4A, page 64, which is behind tab 8 of your bundle. If you want to have a look, you can see if there's a comment there.---I can see on the screen.

Or it's tab 8. You can bring it up yourself if you like.---Oh, tab 8.

It will come up on the screen as well. Line 42.---I'm not sure what's, why there's different 25 hours.

20

Okay. And if you just follow line 42 all the way across, there's a column titled D. You see that applies to Mr Balicevac, the D in the right-hand, on the right hand side?---D?

The last column.---Last one. Oh, yeah. Deposits.

Okay, thanks. Is that a convenient time, Commissioner?

THE COMMISSIONER: Certainly. Come back at 2.00.

30

**LUNCHEON ADJOURNMENT**

**[1.04pm]**

GERDAPVT00850  
04/02/2019

GERDA  
pp 00850-00883

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OPERATION GERDA

Reference: Operation Gerda E17/0445

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 4 FEBRUARY, 2019

AT 2.00PM

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

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

<QIN LI, on former affirmation

[2.09pm]

THE COMMISSIONER: Thank you.

MR ENGLISH: Commissioner, I just ask for a document that I've been handed over the luncheon adjournment to be brought on the screen. It's entitled Payroll Summary. Is this a document you recognise, Ms Li?  
---(No Audible Reply)

10

I'm instructed it's a SIG document.---Probably that's the, I never see these but I think the girls try to do what exactly Monday and Tuesday what they need to do.

Okay. So do I understand from that answer that you didn't draft this document?---No.

20

It seems to read as an instruction sheet in regards to payroll for, is it the other girls in the office?---Yeah. I think some of the girl, like there's a lot of girls been in the office before and some of them leave, before they leave they drafted while they trained the other girl.

Okay.---Yeah.

If we just run through it. On Monday staff are instructed to, "Print time sheets from emails." That's the personal time sheets?---Yes.

30

Okay. Then 2, "Clear last week's notes from working hours after save as new file." Is that a reference to some of the spreadsheets we've seen where data gets entered?---Yes.

MR DREWETT: Commissioner, I wonder, I understand the answer has already been given, but I wonder the utility of this line of questioning when it's a document that she hasn't seen before and contains information in it that is not information that she's been a party to. One would assume therefore the answers would be framed in a speculative way at best. I was wondering - - -

40

THE COMMISSIONER: I accept (not transcribable). I think what Mr English is seeking to do is to establish, correct me if I'm wrong, that this is the way things operated in pay week.

MR ENGLISH: That's right. It's an instruction in relation to the staff in the office and I'm just trying to get some clarity in relation to her understanding of it.

THE COMMISSIONER: Yeah. Look, I'll allow it. I accept what you say, but I ---

MR DREWETT: If it please the court.

THE COMMISSIONER: Yeah, you go ahead.

MR ENGLISH: Thank you, Commissioner. 3 is fairly self-explanatory. If I can skip to 4, it talks about notes and commission payable to Patrick. Now, if I can just break that down. Notes. Is that the note section of the payment summaries that we've been looking at, do you understand, Ms Li?  
10 ---I believe it is.

And so it says commission to, to Patrick, in brackets, a dollar, looks like \$1.50 for BIP and MCA, \$1 for the rest. Now, do you understand that to be Patrick Miller who, or is that a different Patrick?---The same Patrick.

Okay. From Guardforce?---Yes.

BIP and MCA, do you know what they, they are?---Is the sites for Guardforce.  
20

Okay. And so is that saying that Patrick is to receive a commission payable by SIG, \$1.50 per hour for guards at BIP and MCA and \$1 for all other sites?---Yes.

THE COMMISSIONER: That's per guard, is it?---Hours.

MR ENGLISH: Per guard per hour, is that right?---Yeah.

THE COMMISSIONER: Yes, yes.  
30

THE WITNESS: Yes.

MR ENGLISH: Lucas gets \$1, does he, for all Paragon hours, commission?---Yes, yes.

And SE Group and Lucas gets a, is it Lucas gets a commission for SE Group or SE Group, is that something different?---It's different.

Okay. So who gets the commission for SE Group?---A guy called Simon, Simon I think.  
40

We might come back to that.---Yeah.

Okay. Then the instructions for Tuesday, "Finalised all hour then put notes from black diary into working hours." What's the black diary?---Like there's a diary, daily diary for the office. For example, the guard said he short, called the office, he's short four hours for last week pay, so the girl put this four hours in a diary for this week to be notes.

Okay. So the black diary is the SIG office diary. Is that right?---Yeah, SIG office diary.

Okay. And it contains notes as to working hours and the like.---Yeah.

So is 2 dealing, if you read 2 to yourself, well, what's that dealing with?  
---Sorry, which one?

10 Tuesday point 2.---2, okay. (Not transcribable). What does the 2 mean or - -  
-

Yes. So it says, "Copy all site roster into the summary." Is the site roster the site time sheets?---I - - -

Or is it something different?---I believe the site roster is already summarised, like for example Sydney Uni, the site time sheets already put in the spreadsheets Excel already summarised, so this all, all SIG's sites then put them together.

20

Okay.---And compare with the guards give us the hours I guess.

Okay. So check your summary against the personal time sheets provided by the guards.---Yeah, yeah.

THE COMMISSIONER: Yes. That makes sense.

MR ENGLISH: So then 3 says, "Proceed to schedule if the hours are equal. So what does that mean, finalise the spreadsheet if it all adds up?"---  
30 (Not transcribable). The same, like maybe sometimes missing hours, yeah, try to see whether they are the same.

Okay.---Yeah.

5. "After tax minus the hours according to the tax Excel sheet." Do you know what the tax Excel sheet is?---I think is the one, the on-book hours.

THE COMMISSIONER: The on-book hours?---Yeah.

40 Yes.

MR ENGLISH: It says, "Note, minus the back for the highlighted amount." Do you know what that means?---Minus the back. Not sure for this, which highlighted one, not sure as well.

THE COMMISSIONER: Not sure. Okay.---Yeah.

MR ENGLISH: 6. "Change in schedule – put hours into deposit list then delete each name after depositing."---Yeah.

What's that instruction in relation to?---The schedule finish, then there's a lot of people deposit, so delete this deposit names, so left is cash as well but they're getting on hand, not deposit.

10 Why is there an instruction in those terms, to delete names, is it so there's not an entry, not a record kept of people who have deposits made in their names?---I think it's easy for, because you need to count the money for each person who not depositing, so for each, so the rest of the people, you need to put the money in the envelope so I think it's easier to do it.

Sure. So is it, do you think that the name's being deleted to show that the payment's been made to that particular guard and then you've got the remaining guards that still need to be paid?---Yes, yes, yes.

20 Is 7 talking about the boxes that we've seen on the screen that are at the back of the payment summaries?---Yeah, I think so.

8. "Send the amount to Taymour with the deposit lists and send the PH and Taymour cheque amount to Lynn." So send the amount to Taymour, is that, what's that a reference to?---The amount that he need to bring from the bank, and the deposit list, yeah.

30 Is that, send the amount to Taymour, is that something that's sent directly to Taymour or does it refer to the invoices that are sent from the Pharaohs Group email to Taymour?---With the invoice, not email but I think it's by message.

By message.---Yeah.

And then you're informed of the Pharaohs and Taymour cheque amount? ---Yeah, they send me the how much the cheque amount, yeah.

And then 9 refers to counting money and placing it in envelopes with - - -?---Yeah.

40 - - - the amounts and names listed I assume. Is that right?---Yes.

Okay. Commissioner, I might tender that, please.

THE COMMISSIONER: Thank you. It's not on my exhibit list. Thank you. We'll mark that Exhibit 33.

**#EXH-033 – PAYROLL SUMMARY**

THE COMMISSIONER: In paragraph 8, you mentioned that the amount was sent by message. Was that text, was it?---Yes.

On your phone? Oh, whoever I suppose was doing it.---Yeah, yeah. who did the summary at time, who was sent.

Okay, thank you.

10 MR ENGLISH: There's one other document I'll ask to be brought on the screen that I was provided with over the luncheon adjournment. This appears to be an Excel document. Have you see that before, Ms Li?---Yes.

This is a document you created?---Yes. I downloaded from a website, yes.

Sorry, what was that answer?---I downloaded from a website.

Okay. You downloaded the template, did you, from a website?---Yes.

20 Okay. And then, so it says that it's a projected weekly cash flow for 2016-2017. Is that right, it's all anticipated cash flows rather than actual or past cash flows?---Is not 2016 to 2017. I think that one was probably downloaded with the dates there, or, or the year already. I'm not a hundred per cent sure for this but it's for general probably, yeah. Not particular, yeah.

Then is it projected figures or are they actual figures?---Which one?

See how it says projected weekly?---Ah hmm.

30 The figures contained in the cells below, are they actual figures or projected figures?---Actual figures.

Then, if we go down, if the screen can be brought down a bit, please, you'll see there is an entry at 21, line 21 gross payroll with PAYG?---Yes.

And it's talking about 109,494, do you see that?---Yes.

Is that total on the books and off the books?---Yeah, both together.

40 And then it looks at commissions. Do you see that?---Commission, yes.

There's Daryl, Emir and Frank.---Yep.

And there's, "Commission Patrick," is that Patrick Miller?---Yes.

There's, "Commission Lucas," is that Lucas Webber?---Yes.

There's a, "Commission Simon," I think you referred to a Simon a moment ago.---Yes, yeah. That's the Egroup one.

Egroup. And then we've got a Matthew there. Do you know who that is?  
---He has a Strata company, I think.

Is he linked to those buildings, I think is it Epica?---Epica, yes.

10 Epica. And so these are, do these commission payments represent cash amounts that Tommy had instructed be paid to the persons listed in that part of the schedule?---Yes.

And if I draw your attention to Daryl, Emir and Frank, they're grouped as three there, and it says in week one, what is the actual period there? If we look to the top of that column, do you know what period that's meant to represent, when that week occurred, when that payment was made of, it says, \$700?---I believe it is 27 June until July, 3 July.

20 2007 or when?---Oh, should be 2007, yeah.

2-0-0-7 or 2017?---2017.

2017.---Yeah.

30 But the figure seems a bit low, of 700, to those three gentlemen, wouldn't you agree? Weren't they at least getting paid \$300 each?---At the, at the beginning I believe, because at the beginning, Frank was not getting payment, only Emir and Daryl, but I'm not sure when Frank started getting, yeah. Yeah. At the beginning it was \$300 each, then \$350. Yeah, I think Daryl and Emir, \$350 each, so \$700, yes.

Oh, I see. So there's an increase in week five, you might see, from \$800 to \$1,400.---Yeah.

40 What, if anything, does that suggest to you might have occurred there between those figures? And then it drops down again, I see, though.  
---I can't remember how much Tommy paid Frank for his doing the roster. Probably 350 to 400. 400 each, it would be \$1,200. If we check that week how much they getting paid, for the schedule we should be find out because all these figures based on the schedule, yeah.

THE COMMISSIONER: Okay. Did you have any understand of why it was that Tommy was paying Daryl and Emir?---Why paying?

Why he was paying them?---To protect him at Sydney Uni. Don't let him to be in trouble. The guards sometime making mistake, so he wanted them don't report it to SNP or don't let the clients to know what's happening.

Okay.---Yeah. And to keep his guards there, yeah.

To keep his contract?---Yeah.

Yeah. And what about with somebody like Lucas?---Lucas nothing to do with Sydney Uni.

10 No, but why was he making payments to Lucas, as you understood it?---For what I think he, Lucas give Tommy, like, hours. So Lucas has other sites for his company, so he say I have five guards working there, so you, you pay them, so you invoice Paragon. So the hours is from Lucas. So Tommy basically did nothing, just getting the money from the, from Paragon. So, Lucas getting the one dollar.

Oh, I see, I see. Commission.---Oh, yes. That's right.

20 MR ENGLISH: Just following on from what the Commissioner asked, Ms Li, what was the purpose of the commission to Simon?---There is one guard, like, I think is Simon introduced or ask, ask Tommy to cover one of the position. Then the same one dollar or fifty cents, dollar, I don't know. I can't remember exactly. Just only one guard for Egroup.

Okay. And what about Matthew from Epica, who seemed to receive a fortnightly payment?---Epica, the residential building is because Matthew introduced Tommy to get the contract there. I don't know how much they discussed. He always tell me, just put 500 for Matthew. Yeah.

30 Was Matthew linked with the owner corporation of those buildings, do you know?---He, I think he's a strata company.

Strata, okay.---Yeah. He has the strata business, I, I think, yeah.

So he's the strata managing agent, was he?---Probably, yes.

Or was he part of the executive committee from the strata body, do you know?---I don't think he's the, the part, he's the strata stuff. Agent.

40 Do you think that, or do you know whether Matthew owns a unit in the building or does he - - -?---I don't know for that.

- - - just work to manage the units there as a manager?---He does the agent I think, yeah.

Can I just draw your attention to week 7?---Yes.

If you just look at week 7. I know the payments do jump around a little. You can see this is for Frank, Emir and Daryl.---Yeah.

The figure of 1,050.---Ah hmm.

And then the payments continue at least above \$1,000 as they move forward, and you can see that it can – if we go to the second page – you can see that those payments are at a minimum of \$1,200 a week to Frank, Emir and Daryl.---Ah hmm.

10 So might that suggest, if we just go back to the first page, that that week 7 time, which seems to be in, from 8 August to 14 August, I think this is 2016  
- - -

THE COMMISSIONER: Yeah, I think that second page showed 2017, didn't it? Week 40 or thereabouts.

MR ENGLISH: Yes, that's right, Commissioner. Starting in April, I think. So this might be – would this week 7 period looks like it corresponds to when Frank Lu might take over rostering responsibilities. Would you agree with that?---Probably.

20 Might that be tendered as well, Commissioner.

THE COMMISSIONER: We'll mark that Exhibit 34.

**#EXH-034 – SPREADSHEET TITLED '2016-2017 PROJECTED WEEKLY CASH FLOW' DATED 27 OCTOBER 2017**

30 MR ENGLISH: I just – that was Exhibit 34, Commissioner?

THE COMMISSIONER: Yes.

MR ENGLISH: Thank you. And the payments to the individuals that we've just been focusing on, do you know how they were made? Were they, for example, starting with cash or with a direct deposit into an account?---You mean the rest?

40 The commission payments that we've been looking at for these people. Putting aside Frank, Emir and Daryl.---Ah hmm.

Patrick, Lucas and Simon and Matthew. How were the commission payments made, do you know?---Cash.

Okay. Cash deposited into their accounts or cash collected in an envelope?--  
-Cash collected in an envelope.

Okay. And the instructions to Taymour --- Yes.

When Taymour obtained the cash each week for the purposes of guard payment, would the amount that he withdrew include the cash amounts payable to these people, Patrick, Lucas, Simon and Matthew?---Yes.

Okay. If I could just go back to MFI B, which is the folder you were provided with before the luncheon adjournment. Have you got that there?---Yes.

10 Yeah, I think you do. You've still got it there. I just want to ask you a couple more questions if I can. We were at tab 5, which is volume 4, page 84. We're just waiting for that to come on the screen. Here it is. This is Mr McCreadie's hour summary for the week of, I believe, Saturday, 27 August, 2016. Do you see that?---Yes.

That appears to be quite a difficult time sheet to reconcile. He refers to 186 hours at the bottom. Do you see that?---Yeah.

20 If you, now, those hours are to be shared not just by Mr McCreadie, were they? That's to be shared by Mr Lu, Mr Balicevac and Mr McCreadie, is that your understanding?---If it's written there saying they're sharing with -  
- -

Look, I might make it a bit easier for you because, as I said, these aren't that easy to interpret, but if you turn to tab 6, which is the filtered version for Mr McCreadie, you can see that what he's been paid for is 93 hours. Do you see that?---Okay.

30 And you can see it as well, if you want, behind tab 8, or you can just take it from me. Mr McCreadie is identified as being paid for 93 hours.---Okay.

So whose job was it, if I can just ask you this, to reconcile the figure that he's identified as 186 with everyone else's time sheets to work out what he should be paid at the end of the day?---Whose job? Whose job?

Yeah, whose job was that? Did you do that?---No.

Do you know, was it someone else who worked at SIG?---Yeah, in the office.

40 And so did Mr McCreadie ever say, to your knowledge, or make any queries as to why he perhaps wasn't paid the amount of hours that he thought he might be entitled to?---He might be asked. Like, if, he very rare to ask. Emir ask more if short. Emir and Frank, they ask more. Daryl, not really. Unless he ask with the girls, yeah.

Okay. Well, it was less frequent that Daryl submitted his own time sheet, wasn't it? Was it the case that sometimes or in most cases people, other guards, generally Frank and Emir, would identify the hours to be given to

Daryl? ---Yeah.

Can I ask you to turn to tab 10, which is volume 5, page 334. This is a time sheet for Frank for the week ending Sunday, 30 October, 2016. If you see on page 336, if we just go over two pages, at the bottom he's claimed a total of 155 hours.---Yes.

10 And if you just go up above that, you'll see he's written "Saturday and Sunday, four hours, Badham Library." Do you see that?---Yes.

But there he hasn't identified a guard's name to be used, an assumed name. Do you see that?---Yeah, he doesn't put a name there.

20 He hasn't put a name there. So my question is this, so what did you do in circumstances where you received a personal time sheet that didn't identify a name that could be used for the purposes of claiming under the shift?---For this I believe if (not transcribable) Saturday/Sunday four hours, this one, on the site time sheet must have someone already there. Site time sheet.

So would it be the responsibility of the staff in the office to go and look at the site time sheet and see whose name could be used?---Yeah. Yeah.

Okay. --- If we didn't see on the site time sheet there's no this shift and, but he put on his time sheet, we will ask him.

30 Sure. Okay. If you turn now to tab 11, and this is the filtered version, you'll see he's been paid for 161 hours but he's only claimed 155.---The, the one front is it, yeah.

So you see there he's been paid for 161, and you can assume from me that matches up with the payment summary.---Yeah.

But if you recall from the tab before, he'd claimed 155 hours.---Yes.

40 So do you know why it might be that he received an extra, or he received pay for an extra six hours?---Six hours. Maybe he forgot to write, the six hours it looks like Friday, 28 October, 28 October, Friday shift, 18 to, yeah, he didn't write on the time sheet, his own time sheets. It looks like he write it, unless he calculated wrong.

Right. So is it the case that - - -?---Sometimes it do happen, the calculation, their own calculation was wrong, I'm not - - -

I mean it really comes down to I think what was in Exhibit 33, that there would be some adjusting done compared to the site time sheet and the personal time sheet - - -?---Yeah.

- - - and adjustments made.---Yes.

If I can just perhaps draw your attention to one further entry, and if we can, if I can ask you to turn to tab 19, and it's page 107 of volume 8. And if you, if you see here there are actually a number of personal time sheets. On page 107 there's one from Frank where he doesn't identify a total figure claimed. ---Yeah.

10 On page 110 there's a time sheet from Emir where he, there's Frank's on the screen now, and if we go to the next page which would be one, if we go to 110, and this is Emir where he's also claiming hours on Frank's behalf.--- Yeah.

And then if you turn another page, and this is page 101, it's the last page under that tab, do you see that there, George Boutros is claiming for shifts and he's sharing them with Frank as well?---Yes.

20 So that can I suggest to you seems like a very difficult week to reconcile the hours that Frank should be paid. Would you agree? You're nodding.---Yes, I agree, it's very hard.

If you turn to tab 20 you'll see that Frank's paid a total of 246.25 hours. ---Yeah.

It's difficult to work out what he's actually claimed, but I want to draw your attention to the entry at, the entries at Monday.---Yes.

30 Do you see that? So Frank's been paid for a shift where Bernadette El-Cheikh was signed in.---Yeah.

And Frank's been paid from 0000 to 0800. Do you see that?---Yes.

Can you go to, perhaps if it can be brought on the screen, volume 8A, page 20. All right. Do you see that's the site time sheet for Monday, 11 December, 2017, do you see that?---Yes.

And you can see the entry to Bernadette.---Yeah.

40 Do you see that?---Yes.

And Bernadette says she's starting, or someone says that Bernadette's starting at 1700 and finishing at 2359.---That's right.

And if you go back to that summary behind tab 20 you'll see that Frank's been paid for hours relating to Bernadette outside of the hours on the actual site time sheet.---That's right.

Do you see what I mean?---Yeah.

Is that an error attributable to the staff at SIG?---That's very strange, yeah.

And the same applies in relation to the following entry for - - -?---Yeah, Jawad.

- - - for Jawad, yeah.---Yeah.

10 So you agree that there's a discrepancy between the entry in the - - -?---It looks like totally different.

Yes. So that would suggest that there was a discrepancy between the time sheet and the bill that was sent to SNP in relation to these two entries. Would you agree with that?---If according to this, yes.

20 Did you ever receive queries from SNP about whether there were discrepancies between site time sheets and the bills that were provided or the attachments to the bills?---They do sometimes, they do call us say there's difference.

Okay.---Yeah.

And what would happen on those occasions where you were notified of a discrepancy by SNP as between the invoices and the sheets?---Most of the time we would go back to check on the site time sheet. If site time sheet, if Bernadette start from on the screen was 2000 to 0500 for example, then should be we should change our sheets.

30 You'd change the site time sheet?---No, site time - - -

Or you'd change the invoice?---Yes.

Okay.---Yeah.

And did SNP ever ask for any further documentation to verify that that shift was performed by in this case Bernadette?---They never ask.

40 Okay. All right. Thank you. If MFI-B can be returned, please, Commissioner. Can I just ask you this, please. Ms Li, did guards ever request you or Tommy to be paid on the books in circumstances where that request was refused?---Some of the guard we do ask. Tommy would think twice. He will refuse, if the guards want everything on the book he will say no, he will say, "I'll put you on 15 hours or until 30 hours on the book," to minimise the cost.

Are you aware of Tommy recording people as they picked up cash envelopes from any of the SIG offices?---Recording or - - -

Taking videos of people.---We, we do know we have a camera in the office but I don't know whether he use or not.

Sure. He hasn't raised an issue like that with you, has he?---No.

Okay. I just want to ask you now, changing the subject to gifts and benefits offered to Dennis Smith. Do you know who Dennis Smith is?---I know the name but I don't know the face.

10 Okay. You've given some evidence about at least I think one hotel stay and dinner - - -?---Yeah.

- - - that was paid for by Tommy or perhaps paid for by SIG for Mr Smith's benefit.---Yes.

That was in October of 2015. Does that ring a bell?---I don't know exactly the dates but I do remember he did offer.

20 Okay. Now, there's an occasion I suggest to you from October 2015, and you've given evidence about that on a previous occasion. Are you aware of any other, let's start with dinners that were provided or offered to Mr Smith by Tommy.---I only can remember very recent was Emir wanted Tommy to organise the hotel let Dennis Smith to go for I think probably his wife's, or their anniversary. I'm not sure exactly. But Dennis was cancelled at last minute. Yeah, he saying the emergency, something. He can't do it.

30 All right, I might come back to that. But I'm just wondering if page 5 of volume 2 can be put on the screen, please. This is an extraction report from, if you just see, it's from your phone, just so you're aware.---Yeah.

If we just turn over to page 6, please. If we go down a little bit, please. You can see there's a chat thread between – if we go down a bit further, please – yourself and Emir Balicevac.---Yes.

40 Keep coming down, please, to the last entry if we can. Right to the bottom of the page. This is from August 2015. Keep coming down, please. And then you can see there that entry at 11.39.44 on 10 August, 2015. “Update, Dennis. Going to talk to Daryl to organise internal job position available to show to TL as fair race but put me in, they going, they're going to lunch job tomorrow or Wednesday.” You see that message from Mr Balicevac?---Yeah.

Do you know what he's referring to in TL?---I think team leader.

Okay. Do you remember this conversation you had with Mr Balicevac?---He talk too many things for this. You want me to explain what that mean or ---

Do you know what – well, if we go over the next page, you respond saying, “Great.”---Ah hmm.

So, and then you see that he says, “Just keep more key.” I think that should be “keep low-key”. “No one know.” And it goes on. You say, “Okay.” And then he says, “I mean no one is meant to know as to show fair go et cetera.” Do you know what he’s referring to there?---Oh, I think, okay, go up a little bit, the screen.

10 Can we go up a little bit?---The, the, the - - -

The other way or - - -?---Yeah, the message - - -

You want to go earlier in time?---A little bit more. I think more. The one, you ask me that sentence, yeah.

So back to page 6 if we can, please.---Yeah, that, that’s - - -

20 Yes.---I think he mentioned to me there’s internal job can offer Daryl or Emir to be in Sydney Uni. If he’s saying, like, if he, he and Daryl have the job in Sydney or pretty much better for Tommy as a client. Like - - -

And then if we just go back down to page 7, a bit further, where he’s saying, “I mean, no one meant to know to show fair go et cetera.” Do you know what he’s suggesting there?---(not transcribable) just don’t tell anyone.

30 Well, is it a little more than that? Is it saying that perhaps the awarding of that job has been determined in advance of it being advertised, that team leader position?---I don’t know.

Well, is this Mr Balicevac obtaining a team leader position at the university?---I’m not sure at that time he is or not.

He might have been already, might he?---Yeah.

If we go further down the page, might it be a reference to the, he became second in charge, a reference to him taking that position as second in charge at the university, that team leader position?---I don’t think so.

40 Okay. --- I think he’s, what he’s saying is, no, not employed by SNP, employed by Sydney Uni. Sydney Uni employed Daryl and Emir, so SNP doesn’t control them.

Okay. All right. You mean they were hoping to be employed by Sydney Uni direct, were they?---Yeah, they hope, yes.

THE COMMISSIONER: That makes sense.

MR ENGLISH: And then that would benefit Tommy because they're closer to the university.---Yes.

And if you go to page 7, halfway down the page, you'll see the message from Mr Balicevac to you at 11.51.---Yeah.

10 Where he's saying, "Lynn as soon as I get there, it's guaranteed we'll bring them. We're going to make easy way to get them. I be good with Dennis. When this happen, me, Daryl and Tommy to take Dennis to dinner no one ..." What's he saying there, do you know?---I believe they wanted Tommy to have the contract over Sydney Uni, so if they're as a client, so they will help Tommy to get the contract.

Okay. And there's a reference to taking Tommy – I withdraw that. To taking Dennis out to dinner. That is Mr Balicevac, Mr McCreadie and Tommy taking Dennis out. Do you know if that occurred?---I'm not sure whether they did or not.

20 Did they inform you that they'd take Mr Smith out, any of those people take Mr Smith out to dinners on any occasions, or lunches?---Tommy did went to Sydney Uni a few times, see Dennis. I'm not sure whether they did because Tommy doing this very secretly. He doesn't want me to know that Dennis Smith's, I, yeah, I don't know whether they did or not, yeah.

30 You were about to say, "Tommy doesn't want me to know Dennis Smith." What do you think Tommy didn't want you to know about Dennis Smith? ---Because Emir always, Emir he always mention to me, say Dennis Smith probably doesn't like to know a lot of things like other people knows. That's why Tommy keep very secretively.

So you're saying Dennis Smith didn't like other people to know what he was doing?---Yeah, yeah.

All right. --- Even, even Tommy wanted to see Dennis Smith but he can't because Emir said always pass the message from Emir. Yeah.

40 So, I withdraw that. Now, if page 60 of volume 2 can be brought on the screen. So just again you can see that this is an extraction report from your phone.---Yeah.

Now, if we go to page 61, we can see what you're discussing I think is this hotel and dinner that was arranged for Mr Smith. I mentioned the dates to you before, of October 2015.---Probably, yeah.

Well, you've got a discussion there. I'm looking at the entry from 29 September, 2015 at 8.16, so if we go down just a bit. See down a bit further there? You can see that Mr Balicevac, well, firstly he's, you've asked him to call you.---Yeah.

And then you've said thanks. Do you know why you've said thanks after that preceding message. Did he call you? Did you discuss something?---I, I believe he's talking about the restaurant.

Yes. Now, he sends you a link.---Yeah.

And then says to you, "Lynn, we get him this if possible." Do you see that?---Yep.

10

Now, it seems like you did have a discussion prior to 12.03 with Mr Balicevac that day. I'm just wondering, did Mr Balicevac say anything to you that this was a restaurant that Mr Smith had requested?---I can't remember, yeah.

Now, whose idea do you think it was to arrange the restaurant and the hotel booking on Mr Smith's behalf?---I believe it was Emir and, Emir and Frank, Emir and Tommy.

20

And did they do that because, to your understanding Mr Smith asked them to do or were they, was it a surprise? I'm just trying to get some understanding from you about your understanding of this booking.---I believe it's probably Tommy want to show some, give some gift to Dennis, then he probably ask Emir what's the best and Emir will, all Emir will say, we should, should give Dennis something, something like that.

Okay. And then can we turn to page 63, please. You can see there at 1.42 you've asked for Dennis's home address and pick-up time and drop-off.---Yes.

30

Now, that was because a driver was organised to pick him up to take him to the hotel, is that right?---Yes.

Now, if a driver's been organised to pick up Mr Smith at a particular time at his home, one would assume he's going to be there waiting for the car to show up.---Yes.

So that must have been communicated to Mr Smith, probably by Mr Balicevac, before the car arrived.---A hundred per cent, yes.

40

Then if you go down to the entry at 2.20, you can see, there it is there, 2.20.36, "Mr Balicevac will 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." Do you know what Mr Balicevac's saying there?---Because Tommy always say yes to Emir, and when Emir something like that, Tommy is okay, I will organise, I will organise, but he never organise and he didn't tell me as well. So, when

Emir called me, like, did you organise the car for Dennis, then I said what the car and then he would tell me the story.

Right. So has Dennis been promised a car to pick him up by Tommy and then nothing had been done, so you came along and arranged everything, did you?---Yes. The, of course I will ask Tommy, like, did you said yes to Emir, you're going to do this. Then he said yes, yes, do it, you know, like that.

10 If we go to page 65. Just coming down, yes, there we go. So you can see the entry there where the cursor is. "Lynn, Tommy would embarrass us a lot." Is that what you've just been referring to about promising things that aren't organised?---Yeah.

Okay. And then it's suggested to you that you need to take these things seriously. A bit later you reply saying, "I know." And then it's suggested, well, you say rather, "We need to be careful," to Mr Balicevac. What did you need to be careful about?---From my understanding, is if you promise something, you should do it, just not ignore it.

20

Are you aware of any request for Tommy to pay for business class international airfare tickets for Dennis Smith?---I, is happened or not happened? I'm not sure it's happened or not happened but Emir did mentioned this before, say can Tommy pay a trip for Dennis.

So when you said did it happen, let's just break that down to a request first. Do you know if there was a request for Tommy to pay for business class tickets for Dennis Smith?---Yeah. Request.

30 Okay. And who made that request?---Emir.

Okay. And was, to your understanding, that a request that Emir came up with by himself or had he had a discussion with Dennis and Dennis asked for him to do that?---We don't know for that part. We only know from Emir. Yeah.

THE COMMISSIONER: How did you know that a request had been made?---Emir mention it to me, yeah. And later I asked Tommy, Tommy said Emir said a lot thing to, to do for Dennis but Tommy just trying to  
40 ignore. Yeah. But there's something, then he said, you do it then organise for the, organise the hotel, then do it, yeah.

Can you think of any other things that Emir asked, through you, Tommy to do? Like, other than airfares and hotels, anything else you can think of? ---Emir ask big. Like trip, like hotel. Tommy only want offer voucher.

Yes, okay.---Local, saying maybe we get, like, Woolworths voucher or Coles voucher and yeah, Myer voucher. I don't know. Yeah.

MR ENGLISH: Can I ask that the document at page 185 be brought on the screen.

THE COMMISSIONER: I think it would be useful to do this in an open way before we go to that, I think, just to ask what this witness knows about the subject matter.

10 MR ENGLISH: I'm was just getting ahead to something slightly different, but do you know of any occasions where Mr Balicevac or Tommy would buy Mr Smith Christmas presents?---Did, do they - - -

Did they ever talk about that, to your knowledge? Are you aware of anything being passed on?---They do, I believe Tommy would like to organise but, for example, I said the voucher, yeah, the, Emir was saying, Dennis doesn't take these things but Emir said we don't know Dennis said or not. Yeah.

20 Now, what about – again, without it coming on the screen – what about in April 2014? Are you aware of any requests for Tommy to buy business class tickets for Dennis?---April, 2014?

Yes.---I don't remember.

No sorry, 2018.---2018.

So April, 2018.---Oh, I don't think it's buying business class, there's a trip I remember.

30 THE COMMISSIONER: Where was the trip to, do you know?---We don't know. That's why it was Emir said that Tommy told you to organise a trip for Dennis Smith and I said no. Then I ask Tommy, I think Tommy was not even in Sydney, he was overseas and I called him, probably, and then, and then he, Tommy message me and say just ask Emir for the details where Dennis want to go, yeah.

And did anyone come back to you and say this is where Dennis wants to go?---No, Emir didn't get back to me for that I think, yeah.

40 MR ENGLISH: Perhaps if document 183 can come on the screen of volume 2. So again it's a, so 183. So this is a phone or an image of a phone that came from you, Ms Li.---Yeah.

If we go over the page to 184, you can see there's a message where you're asking Emir to call you and then shortly later you say, ask him if he's at work, and then about 25 minutes after that you say to Emir, "Tommy, Emir ask," – sorry, this is to Tommy, I withdraw, this one's to Tommy. So you've had two text message to Emir and then you've texted Tommy

saying, "Tommy, Emir asked me to reminder you about the organising gift for Dennis."---Yeah.

Does that ring a bell as to a particular gift that was to be arranged for Mr Smith?---(No Audible Reply)

What was it?---I think that's the trip, the ticket.

This is the trip?---Yeah.

10

It goes on, he says, "Yes, please." You ask him if he wants you to organise it and then he tells you, that's Mr Sirour, that, "He want tickets to overseas. Just call Emir and get all the details from him and let me know." So what was that in relation to?---I'm not this, I don't know this he is Dennis or Emir, but they wanted a ticket or Dennis, the ticket for Dennis to go overseas.

Well, it says, "He wants tickets to overseas."---Yeah.

20 That would suggest it's Dennis and then you've got to all Emir to get the details.---Yeah, yeah.

So did you do anything to action that?---No.

Why not?---Because I think I need details but Emir didn't give to me.

And then you later that same day - - -?---Ah hmm.

- - - SMS number 8 - - -?---Yeah.

30

- - - you ask Emir, "Hi, Emir. I've talked to Tommy already. He asked whether you can give me the details about the trip so I can organise the ticket."---Yeah.

And then it says, Tommy to you - - -?---Yeah.

"Tom emailed Dennis late last night and said there will be no changed to SIG at Sydney University." Do you see that?---Yes.

40 And you've said, "Okay." So you're aware, Tom there is the owner of SNP Security, isn't it?---No.

Do you understand?---Oh, yes, that's right, yes.

THE COMMISSIONER: Is it Roche, is it?

MR ENGLISH: Roche, R-o-c-h-e.

THE COMMISSIONER: Yes.

MR ENGLISH: So do you recall that there was a discussion about SIG being removed as a subcontractor at Sydney University?---Yes.

And there Mr Sirour's telling you that Tom, the owner of SNP, has emailed Dennis late last night and said there will be no changes to SIG at the university.---Yes.

10 So does this chronology suggest that the tickets that you were asked to organise were a reward to Dennis Smith for the purposes of playing a role in ensuring that SIG wasn't removed as the contractor at the university?---I, I think so too, but I don't know what that - - -

What do you remember about that period when it looked like SIG might be removed from, as the contractor at Sydney University?---A lot of things come at the same time, at that time was, was worry about the being removed from SNP then if the conversation between me and Emir or Tommy about the trip is after that, I think that's the reward for that.

20 That's right. There must have been quite some concern at SIG that it was, it was potentially going to lose - - -?---Yeah.

- - - one of its largest contracts.---That's right.

And so are you aware were any instructions provided to seek out Dennis Smith's assistance in ensuring the contract wasn't lost?---I didn't involve that much at that because Tommy was not here, so between Tommy and them talk, I'm not sure exactly, you know.

30 Well, you'd participated in a - - -?---Yeah.

- - - in a meeting with SNP - - -?---Yes.

- - - the year before about performance-related issues - - -?---Yes.

- - - concerning SIG.---Yes.

40 And I think Tommy dialled in from overseas on that occasion too. ---That's, that's right, yes.

So you must been aware and involved in the potential of SIG losing this contract at the university.---That's correct.

So as that prospect crystallised, and you recall, do you, that there actually was an email that was sent by SNP to say that SIG would no longer be the contractor, do you remember that?---Yes, yes.

And then Mr Smith intervened - - -?---Yes.

- - - and sent an email to Mr Roche.---Yes.

And that decision to remove SIG as the contractor was suspended.---That's correct.

That's right. So you recall that period?---Yes, I do.

10 And so - - -

THE COMMISSIONER: Do you recall did you actually see that email from Mr Smith to - - -?---Yeah, they forwarded it to me, yes.

Thank you.

MR ENGLISH: Yeah. So you're aware of the role Mr Smith played.---Yes.

20 Now, in light of that background does that give you any more clarity as to what was being organised and why it was being organised and why it was being organised by reference to these chat conversations on page 184?  
---I believe that's the reason as well, yeah.

THE COMMISSIONER: He was going to get something for having helped. ---I think so. But at that time I didn't notice because Tommy tried to keep a relationship, he always offered the gift you know sometimes, so I think that's probably that's the one he helped Tommy, yeah.

30 MR ENGLISH: And do you know whether that was the circumstance whereby Tommy was offering these tickets or it was Mr Smith who requested them for the services provided in relation to his emails and dealings with Mr Roche?---I don't know, be honest to you, for, yeah, he offered or Dennis ask. And he was not in Sydney, that's why, yeah.

THE COMMISSIONER: Yes.

40 MR ENGLISH: Now, you mentioned earlier a hotel booking that was made and then cancelled, didn't go through with it for Mr Smith.---Yes, that's right.

Can you remember the circumstances by which you were instructed to make that booking on that occasion? This was in 2017 I suggest to you.---Ah  
hmm.

And can you remember what happened, why was it that you were asked to do that?---(No Audible Reply)

Was it, did it come from Emir or did it come from Tommy, can you recall?

---I think it's from Emir.

Okay.---They are confirmed, confirmed with Tommy, Tommy said yes, then I discuss with Emir which hotel need to book, yeah.

And like the example I just showed you, was that to reward Mr Smith for any particular task he performed for SIG's benefit?---I think so, just I think at that time probably Tommy really try, want to get the contract of the Sydney Uni..

10

Just have page 138 brought on the screen, please. And just in fairness so you can see, this is a report from your phone, Ms Li.---Yeah.

If we go to page 139, just a bit further down, please, this is an email chain between yourself and Mr Balicevac starting on 8 March, 2017.---Ah hmm.

It says there, "Looks like SNP will go for sale." Do you know what that means?---This, Emir said, or Emir or Daryl passed the message probably saying SNP going to, someone going to buy SNP, something like that, yeah.

20

And was that in the context of a potential opportunity for SIG in terms of its university contract?---Yes, yes.

If we go to page 140, please, at the bottom. Actually, can we go back a page. I'm sorry. Apologies, Commissioner. Just go back to that entry. It goes on. Good, you ask, "We should do something." There's a discussion about monitoring it. "Please keep it between us, and you can tell Tommy," and there's also, "No one know." Now, is that, what's that discussion in relation to? Is it, is this issue that you raised about potentially obtaining the contract down at Sydney University?---I believe, yeah.

30

Then over the page to 140, you can see the first entry there, "When Tommy come on Monday to see Dennis to approach him." So are you aware of an approach to Mr Smith by Tommy or Mr Balicevac in relation to this proposal to obtain the Sydney University contract for SIG?---Did I hear from Tommy or?

Are you aware of either of those gentlemen approaching Mr Smith for that purpose?---Yes.

40

What can, what can you tell the Commission about that?---You mean Tommy and Emir approaching - - -

Approaching Dennis, yeah. What happened? Did they meet with him? Did they, I mean - - -?---I'm not sure really he met him or not but he does see Dennis because a few times always Emir said Tommy come morning to see Dennis, but always that didn't happen because Dennis was very busy or don't come, then the protest was going on, stuff like that. That's why he, he

didn't go and meet Dennis for few times. So I don't know this time he met Dennis or not.

It goes down, if we can go about halfway down the page, the entry at 2.29.27. A bit further down. A bit further down, please. There we go. You can see first at 2.29.01, "Lynn, I've got in touch with Daryl and we can't afford to let this go." It goes on, Mr Balicevac says, "If we lose, we are fucked. Will never forgive myself. We have to get it." Do you see that? ---Yeah.

10

THE COMMISSIONER: What did you understand him to mean? What did he have to get?---I think the contract.

MR ENGLISH: Now, then a couple of days later down the bottom you'll see there's an entry on the 10 March, 2017. "I'm going to print the hotel booking confirmation. Tommy told me the whole plan can't wait if we get it."---Okay. Oh, sorry.

20

Do you see that? Oh, it's not on the screen. Sorry, can we go down a bit more. There it is there. "I'm going to print the hotel confirmation. Tommy told me the whole plan." Do you see that?---Yeah.

"Can't wait if we can get it." So do you know what that's in reference to? ---To get the contract.

Okay. And Tommy's, sorry, you're saying - - -?---Yeah.

30

- - - "Tommy told me the whole plan." Well, what was the whole plan that Tommy told you?---I believe he is saying to SIG take over the Sydney Uni, the whole one. Yeah, Sydney Uni contract.

All right. And - - -?---Direct, yeah.

And he'd - - -

40

THE COMMISSIONER: How did this hotel booking have anything to do with that, do you know? You say, "I'm going to print the hotel booking confirmation. Tommy told me the whole plan. Can't wait if we can get it." ---I think hotel booking's just a, a gift or reward for Dennis if he can help Tommy to get the whole contract.

MR ENGLISH: Well, it seems, doesn't it, if you note what's said at the top of page 140, which was "When Tommy come on Monday to see Dennis to approach him," and that's on the 8<sup>th</sup>, and then on the 10<sup>th</sup> you're saying, "I'm going to print the hotel booking confirmation. Tommy told me the whole plan. Can't wait if we can get it." Does that suggest that you're - - -?---I think he's thinking ---

- - - you're, just if you let me finish the question.---Sorry.

You might have been informed by Tommy that he'd spoken to Dennis Smith about this proposal?---Probably, yeah.

Do you have a clear recollection about that?---I can't remember, but from the conversation I believe he's seen Dennis and they had a little talk.

10 And then as a reward for assisting in that plan, Tommy wanted to take or – not take, Tommy wanted to arrange a hotel booking for Dennis?---Yes.

And then if we go over the page to 141. Thank you. There's Mr Balicevac saying, "We've mentioned Fisher Library lock and unlock. You ask to SIG." And then Mr Balicevac says, "Dennis going to look the way how to put SIG in." Does this refresh your memory as to what you were told around this time about this plan?---I believe - - -

20 So were you told that Dennis was going to look into ways to make SIG take over the university contract?---I think partly from the Fisher Library lock/unlock.

So parts of the contract they were going to obtain?---Yeah, yeah.

And then there's a discussion about conflicts and, further down, price. And then about the middle of the page there's a comparison. So that figure of 31, is that what SIG would offer the services for compared to the figure that SNP is offering it to, which is 34 56? Can you see that?---Yeah.

30 And then it's said by Mr Balicevac that the proposal would make him, Dennis, look good in front of his bosses.---I think so, yeah.

And then Mr Balicevac says, it's obliterated on my copy, 14 March, "Tommy, might be great news. 1 April we might have Fisher and lock and unlock."---Yes.

So there was obviously some anticipation that those parts of the contracts might be coming to SIG.---Yeah, that's what Emir give the impression, yeah.

40 Emir gave that impression. And do you know how he formed that impression? Was it from information he received from Mr Smith that they were going to get those parts of the contract?---I think so, yeah.

Then if we go to the bottom of the page of 141, you ask if that's going to happen under SIG, and over the page it says, "No Triton."---Yeah.

So who was Triton?---At the moment Ramy's the director of Triton.

Ramy. Last name?---Khalifa.

Thank you. And you said at the moment.---Yes.

What about as at 14 March, 2017?---I'm not sure at the – I start, I started at Triton because at that time, I started at Triton at the beginning, then Tommy was saying you need to do, like, money-wise to use it like, as a subcontracting. Now I said no, stuff like this, then I resigned. Then Ramy become the director.

10

Okay. So you started at Triton?---Yeah. I set and created, I set up.

Oh, you set up.---Yeah, yeah, set up, yeah.

Thank you. Okay. And so was Tommy the – who did you set up as the original director?---Me.

20

Oh, okay.---Yeah. Because at that time his company, Australian United Security, was closing down and he's scared his other service going to be nowhere to put or something like this. So he want to create another company to protect other service or other contract, yeah.

So what was the fear about putting this potential lock and unlock and Fisher Library contract in SIG's name?---Because I think the conflict of interest. Tommy asked lawyer as well whether he can take over Sydney Uni.

Oh, so there might have been a restraint of trade in relation to SIG taking on that part of the contract?---Yeah.

30

Now, you recall that Mr Smith ultimately said that this hotel booking had to be cancelled, is that right?---Yeah.

If we can go to page 144 and you can see there on 14 March, it says "Lynn, Dennis wife called, her mother very sick. Can it be moved or cancelled with no cost to Tommy or not?" So Dennis knew that Tommy was paying for this hotel booking for him that was scheduled to take place shortly? Do you know that?---I think so, probably, yeah.

40

If we go to the bottom of page 144, a bit further down, please. Talking about the booking, down a bit further, please. And then you say at the bottom of the page, "We can cancel." And then over the next page, Emir says, "Mum sick," and then says he's saying, "If he can't he will still just go. Worried costing Tommy to cancel." So that's Mr Smith who's worried about cancellation fees for Tommy.---I think so, yep.

And ultimately, if you go to page 146, you can see that you could rebook it at any time, there doesn't seem to have been a cost and ultimately you cancelled this booking I think. Is that right, Ms Li?---Yes.

Now, if we just go to page 149. So there on 15 March it says SNP contract had been opened.---Yep.

What does that mean, opened, do you know? It's Mr Balicevac saying that to you.---Probably, maybe the Sydney Uni contract is open to a lot of other security service or maybe not only SNP can do the job there.

10 It says, "Dennis is looking in," this is Mr Balicevac and then it says, "Talking to finance team." Do you recall what that was about?---I think so, yeah.

What's that? Mr Smith looking at ways to - - -?---Save money.

Save money, is it?---Yeah. How much SNP cost Sydney Uni, probably.

Mr Balicevac seems excited about that with the next entry.---Yeah.

20 And then it goes down, saying at the middle of the page, "Finance team have given approval to Dennis." If we go down a bit more, do you see that? You see that there?---Yep.

And then, "Now we're looking closing contact SNP can't sue us." That's a reference to the potential problems if it was SIG that you referred to earlier, is that right?---Yeah.

30 And then you ask, "I'm the director for Triton. Do you think it will be affected?" You were concerned, were you, that you might be sued, were you, if the university found out about a link between Triton and Tommy?---I believe, yeah.

And there's a suggestion a bit further down the page, you can see on the screen, "Dennis might use SIG direct."---Yeah.

And so what happened in relation to those efforts to take those aspects of the contract from SNP?---Effort?

40 So you're discussing a potential change in contracting position between the university and SNP here and SIG or Triton's trying to take some of the work, right?---Yeah.

Did that eventuate? Did Triton or SIG obtain those contracted shifts?---Did this happen?

Yes. So - - -?---I don't know. Didn't.

It didn't happen?---No.

Was there a reason why it didn't happen? The discussion looks like it's proceeding quite well and Mr Balicevac's certainly excited with the prospect of it going ahead. Do you know why it didn't happen?---I mentioned to Tommy it's impossible because for, even for SIG, they don't have that big organisation to look after that big contract and I think Sydney Uni, they requires more, more things, for example worker's compensation, you should have a big, big as well and insurance as well for, for example, loss of the keys. These things. But Emir keeps saying it's going to happen to, to Tommy, all the dreams but I don't know. Yeah.

10

Were you concerned that Tommy's business model of having most of his employees off the books was perhaps limiting his ability to obtain a contract of the size that was being contemplated with the university?---Not only this. Even the organisation inside. We only doing administration, he doesn't really have a good roster manager, like, or operation manager to control everything and I know we don't have, like, cars or, like, can serve the Sydney Uni.

20

Sure. --- Like, the mobile patrols, stuff like this.

So, you don't have the resources to - - -?---Yeah, no.

- - - service the contract. What did Tommy say when you raised those concerns with him?---He's saying it's not, not hard to get them and, for example, the, I think the, some people ride the bus, I mean the shuttle bus for the student. He is saying these things can be go through the agent. Just pay few thousand a month, you will get it, I don't know, yeah.

30

Were Tommy and Emir – I withdraw that. Did they say anything to you about how they felt when it didn't eventuate that SIG or Triton obtained those extra contracted shifts? Did they express upset or disappointment? ---Yeah. Tommy is a bit upset.

And what about Emir? He seemed invested in the proposal.---No, Emir still telling Tommy to what happened. Just takes a bit of time.

And so he was saying it's still going to happen, what, right through to 2018?---Yeah.

40

We're still going to get these contracts?---Yeah.

Okay, All right. So I just want to ask you about a pinball machine?---What?

A pinball machine. Do you know what a pinball machine is?

THE COMMISSIONER: Spiderman.---Spiderman.

MR ENGLISH: Do you know a video arcade game, it's similar. See those things with the big lights and you play the flippers on the side and it's got a ball that goes up and down and you try and stop it going in the hole?  
---Okay. Never seen - - -

Do you know what I'm talking about?---No.

MR DREWETT: How about you do a demonstration?

10 MR ENGLISH: I might have to bring it in and tender it. Perhaps if page 278 and be brought on the screen, please. Now, while that's coming up, you don't recall Mr Balicevac ever trying to organise an expensive and large gift for Mr Smith that could go at his house for entertainment purposes?---I remember some, yeah.

Okay, some.

20 THE COMMISSIONER: Tell us what you remember.---I don't know that one is for him or for Dennis. He just saying he need to buy a, a, something very expensive and he short of money, and he ask several times to Tommy if they can borrow me some money, and Tommy say, "No, it's, it's your business, it's not me. You can't always ask me to give you money, you know?" And then Emir was very upset with Tommy he didn't borrow him money, and I, I don't, I don't want their relationship because Tommy always at the end upset them and then ask me to talk to them, you know? I'm very, I don't like this. Say, "Look," I said, "Emir if you, if you really short on money, I borrow, I use my money to help you. But not much, but help a little bit, you know?" That's all, yeah.

30 MR ENGLISH: So you had to help Mr Balicevac buy an entertainment machine, did you?---I think I did help. I think he just pay me back the following week straight away, yeah.

I mean, did you think perhaps it's not that important to help Mr Balicevac with this money for the purpose of an entertainment machine?---Sorry?

Did you ever wonder why it was so important to Mr Balicevac that he had to borrow money off you to buy a machine?---I didn't ask, yeah.

40 Now, here you can see – if page 278 can be put on the screen. You can see again it's your phone, an extraction report from your phone. Page 280 if we can, please. This is a discussion between you and Emir on 28 November, 2016. You can see, "I'm talking to Daryl to make sure SNP not to find out." See that?---Yeah.

Do you know what this is in relation to?---I don't know. Maybe.

I should go back to the page before, actually. 279. Do you see at the bottom there, there's a discussion about Campus Assist?---Yeah.

Do you know what Campus Assist is?---I think the unlock, unlock or lock -  
- -

Locking of buildings at the university?---Yeah, probably.

10 So is this another aspect of the security operations at Sydney University that Emir was trying to obtain for SIG's benefit?---I think so.

And then we go to 280. I should have shown you 279 before, I apologise. "I'm talking to Daryl to make sure SNP not to find out." You say, "Daryl should be with us. It is benefit for everyone." What does that mean?---I believe is if the contract goes to, Tommy take the contract, so Emir and Daryl, they will get a benefit from Tommy.

20 Well, he's already paying them something at that stage, isn't he?---Yeah, they will get more.

Increase the benefit?---Yes, yes.

You're not aware of Tommy paying any benefit to Mr Smith, are you? Cash benefit or anything along those lines?---From what I know, no.

30 So then if we go over to page 281. A bit further down the page, about two-thirds of the way. At 3.11.14, so a bit further down, you go, you see, it's Mr Balicevac saying to you, "Lynn, you know if I can I would bring the uni now." So that's the whole, he's trying to say I'll bring the whole of the uni contract to SIG, isn't he? And you say, "I know." See that?---Yeah.

And then - - -?---Oh, yeah.

40 - - - "Lynn, I sent you an email, and see if you guys can help me out for this machine in, and that way I will return in two weeks. I understand you guys are tight at the moment, paying for company fees, et cetera. I hope I get this contract going."---I, I believe he's, Emir always keep telling Tommy the contract is coming. You will get, you know stuff, this, but nothing happening and Tommy being very upset, and then Emir probably ask Tommy to pay this, pay that, and that's why Tommy's very upset with Emir. That's why he doesn't want to borrow the money to Emir.

Okay, so, but this is in November of 2016, so this is about taking Campus Assist work for SIG as opposed to what we were looking at earlier, which was the Fisher Library and something else. Is that right? There's two different discussions here. One about Campus Assist and one about those other matters which occurred later in time.---I think was they all talking together. Yeah.

It's all related, you think, is it?---Yeah.

And then you offer to provide the money if Tommy doesn't help you.  
---Yeah.

THE COMMISSIONER: Just before we move on to that, there's reference to a machine there.---Yeah.

- 10 And then he says, "I hope I get this contract going." What understanding did you have as to the connection between the machine and the contract?  
---If this machine is for Dennis Smith, then, and then as a gift for Dennis, so Dennis can keep Tommy there. Yeah.

Thank you.

MR ENGLISH: Well, it's the case, isn't it, that Campus Assist work was eventually taken on by SNP, wasn't it?---I think so, yes.

- 20 And so the Campus Assist work formed part of ad hoc hours, didn't it?---Ad hoc, yes.

So SIG was servicing all of those requests for the Campus Assist work.  
---That's correct, yeah.

So in a way those hours were brought over to SIG even though the contract might not have changed, is that right?---That's right.

- 30 So if we just go over the page, 282, there's some emojis that are shared, and then you say, "I know it is important." What are you saying is important there?---I believe it's to keep good relationship with important.

THE COMMISSIONER: With who?---Probably with Dennis for Tommy.

MR ENGLISH: The important, the relationship's important, that's one thing. What about building your business at the university, increasing guard hours?---Yeah.

- 40 Is that something else you're referring to as being important?---Yes, I believe too.

THE COMMISSIONER: Are you moving on to another page?

MR ENGLISH: Pardon?

THE COMMISSIONER: Are you moving on to another page?

MR ENGLISH: I may be.

THE COMMISSIONER: I just wanted to take up the entry in the middle of the page.

MR ENGLISH: "Let's make a summary"?

THE COMMISSIONER: Yeah.

MR ENGLISH: Go for it, Commissioner.

10

THE COMMISSIONER: Sorry, I should stay out of this but I just – do you see in the middle of the page there, you send a text to Emir, 1,500, you said, "Let me make a summary for the money, 1,500. He said he will pay at least, and you said you're going to give 500 vouch money which you want to put in the machine, then now is total 2,000, so we'll be missing 1,000 or less, right." What did you mean by that?---I think Tommy give Emir isalmost just November, the end of November, so Christmas gift probably 500 voucher for Emir.

20 Oh, I see.---Yeah.

Which he could use towards the machine.---So he said, "I don't want a voucher. I want the money." Emir, yeah.

MR ENGLISH: Do you know how much this machine was to cost in total? ---I don't know. I'm not sure whether he's sending me any invoice over the machine to show me. I can't remember whether he send.

30 Did he ever tell you that it was in excess of \$10,000?---Can't remember.

Did he tell you how – you're having a discussion about funding.---Yeah.

Did he tell you anyone else was going to provide money to pay for the machine?---(No Audible Reply)

40 There's a discussion about yourself and Tommy and Mr Balicevac putting in some money, did he mention anyone else to you being involved in funding it?---I can't remember, but maybe Frank as well, but I'm not 100 per cent sure. I, I do remember Frank probably give Dennis Smith gift as well, but I don't know whether is the same one, yeah.

THE COMMISSIONER: Okay.

MR ENGLISH: Did you just say you knew Frank gave Dennis Smith a gift?---Yes, I think he mentioned to me before he gave to Dennis gifts as well, yeah.

Frank did. What type of gifts were they?---He didn't tell me.

And when did he say that he was providing gifts to Mr Smith, that's Frank?  
---I can't remember which date.

He said it more than once or once?---He, he said he, he, he does give gifts to Dennis Smith but didn't say how many times.

Okay. Were you ever told that anyone from SNP provided gifts to Dennis Smith?---No.

10

Okay.

THE COMMISSIONER: Did you have an understanding that Frank was making a contribution to the purchase price of this machine?---Did any, did he mention?

20

Did you understand that Frank was paying for part of this machine or paying part for this machine?---I can't remember on the phone or someone told me or Emir, I'm not sure, yeah, I think there's a few people that did the contribution but I'm not sure whether is this gift they did a contribution, maybe the other ones.

Okay.---Yeah.

MR ENGLISH: So ultimately I think your evidence is that you did make a contribution towards this item that you were told about by Mr Balicevac. Is that right?---I only can say I helped Emir, I'm not saying I contribute.

30

Okay. Well, what did you do, how did you pay the money to Emir, did you give him cash, did you transfer it into his account, did you put it into another account that he nominated, what did you do there?---I'm not 100 per cent sure. Maybe I just give him the cash or I just, I didn't even take from my money, it's just Tommy, just get the money from Tommy, just give to him.

And then he paid it back shortly thereafter, did he?---Yeah, because just deduct from his payment, every week he has money so we straightway deduct from his payment, yeah.

40

They're all my questions, Commissioner.

THE COMMISSIONER: Just one thing, I've got one more. Reading those text messages though, there seems to have been in your mind that there was some connection between the machine and the contract with Sydney Uni.  
---Yeah.

Just tell me again, what was your understanding of the connection between the two?---I think they want to make Dennis happy to then for Emir or

Frank, they're giving him gift is so they give them support at the Sydney Uni when they do the work.

Yes. Okay. I've got nothing further either.

MR ENGLISH: That's all the questions I've got.

MR DREWETT: I've got no questions, thank you.

10 THE COMMISSIONER: No, no questions. Okay. Well, there's no reason why this witness shouldn't be excused from her summons, is there?

MR ENGLISH: That's right, Commissioner, there's no reason why she can't be excused.

THE COMMISSIONER: All right. Well, I'm going to do that. Thank you very much for your help again today.

THE WITNESS: Thank you.

20

THE COMMISSIONER: I know it's been a long day for you and - - -

THE WITNESS: I hope I helped.

THE COMMISSIONER: You did. So thank you very much for that. And I'm going to release you now, and just remember that I made a non-publication order so please don't talk to anyone about it, apart from your lawyers of course. Thank you.

30

**THE WITNESS EXCUSED**

**[3.55pm]**

**AT 3.55PM THE MATTER WAS ADJOURNED ACCORDINGLY**

**[3.55pm]**