

INDEPENDENT COMMISSION AGAINST CORRUPTION

STATEMENT IN THE MATTER OF: Operation Gerda

PLACE: Sydney, NSW
NAME: Fawad Walizada
ADDRESS: Known to ICAC
OCCUPATION: National Work Health & Safety manager
TELEPHONE NO: Known to ICAC
DATE: 24 December 2018

States: -

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in Court as a witness. The statement is true to the best of my knowledge and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
2. I am 37 years of age.
3. I am currently employed as the Head of Operational Risk and Safety at SNP Security. I have held this position since June 2018. Prior to this I was employed as the National Manager Work, Health and Safety ("WHS") with SNP from 2016 to 2018. I have been with SNP since 2005 in various roles.
4. In my role as the National Manager WHS I reported to Darlene Winston who was the General Manager for People and Partner Strategies. I was responsible for SNP's

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compliance with regards to Work, Health and Safety Management and implementation of Work, Health, Safety Management System (WHSMS) in line with AS/NZ 4801 and OHSAS 18001 standard since 2016. When I moved to Risk and Safety, I reported directly to Tom Roche.

5. In my current role, I have a number of work, health and safety advisors who report to me. They include Michael Fenwick (based in Sydney), and Luciano Gallina (based in Newcastle) and I have recently appointed another advisor in Victoria.

6. In my previous role as the National WH&S Manager of SNP I was also a member of the "Reduce The Risk Board". The Board was created by SNP around 2016 and the focus was to look at vulnerabilities for the business from a strategic point of view and address those accordingly. The Board was introduced by Darlene Winston and consisted of Tamara Bayly, Risk and Compliance Manager at the time and now Head of Compliance and Quality Assurance, and a number of other people from business operational managers and workforce planning such as Linda Willard (National Scheduling Manager – Protective Services). That is how I was dealing with subcontractors, not only in the safety capacity but also from a Reduce the Risk Board capacity.

7. Throughout those Reduce the Risk Board meetings the emphasis was on governance of the subcontractors to look at eliminating the interaction of the operational people and to centralise it into the sort of structure, that whenever there

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is a changed/engagement of subcontractors that they would go through the Reduce the Risk Board. The Board also conducted regular meetings with the key subcontractors that are used such as SIG. Their performance is also reviewed and feedback provided and their feedback is also taken on board.

8. It is my understanding that when a SNP employee first starts they are required to go through a site specific induction. In addition to this, they also should undertake an overall SNP induction, which incorporates site specific requirements, including safety, operational security procedures, as well as Code of Conduct and other policies as required. At the conclusion of their induction, they are required to sign a confirmation of their induction. Subcontractors are required to undertake the same induction as contractors, as it is the same work that they are carrying out. It would be the same for SIG as what it is for SNP.
9. It is my understanding the account manager is in charge of requesting staff through recruitment or subcontractors. It is the responsibility of the account manager to ensure they are complying with the required training and inductions. They should then upload and communicate the records through SNP and keep those records on site. As I understand it, the issue with Sydney University was that everything was done in-house and not much was communicated back to SNP. Every time I raised this with Daryl McCreddie ("Daryl"), I was told *"Well, I have the records. I've got the things. The client has investigated. This is not an issue"* or words to that effect. Daryl was an account manager at the time. Ultimately SNP trust their account

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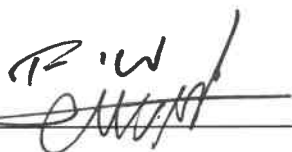
managers to do what is in the best interests of SNP as that is the main reason for having an account manager, to manage the affair of the particular contract.

10. In the case of Sydney University when SIG staff were working at the university SNP would satisfy themselves that the necessary induction had been undertaken through audits and discussions with our suite managers. We (SNP) also use the services of an external provider (currently SAI Global) to overall certify our system and this includes site visits and reviews of documentation. SAI look at the scope of work and look at the work method statements, hazard registers, injuries and investigations. They also look at how we communicate our training records and how it's implemented on site. SAI provide a report which includes both conforming and non-conforming issues and then that turns into corrective actions being taken.

11. I can recall that SAI issued a report to SNP where a couple of issues were raised in relation to the university site. One of the issues was that Daryl, who was our (SNP) contract manager or client relation manager, did not use the electronic version of the risk registers because he was saying that his system is not compatible with the client's system. He also stated that he didn't have his own laptop computer. As a result Daryl was provided with a laptop through IT.

12. When I took over the position with Health and Safety, Daryl was already based at the University and not in SNP head office. I could see a number of issues with this and one of those issues was the late reporting of injuries. Or Daryl would report

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something on the phone, which is not the correct process to follow. He would say words to the effect of *"I've report this to Fawad. I'm not on site. I will send you the paperwork by..."* I recall one Friday Daryl called me and informed me that one of his staff members was injured. He said something to the effect of *"I've just been advised by phone, Fawad. I just want to let you know. I'll send you the details"* I asked *"So what happened?"* He said *"Ah, I've got this much, I've got this much."* This was an issue coupled with Daryl telling me that his system doesn't work or he's not connected to the system and that his client doesn't want anything to be on another system. I recall the 'client card' being played a lot.

13. I recall that there were two measures that I took through IT, one was that Daryl needed to address the reporting requirement on time because that would've had an effect on our insurance and iCare requirements as there is a timeline that we need to report within. If the timeline is not complied with penalties can be imposed on the organisation.

14. A Safety certification audit for SNP's Work, Health and Safety Management System (WHSMS) in line with AS/NZ 4801 and OHSAS 18001 standard was conducted in 2016 and Sydney University site was subject to this audit along with other sites and branches nationally. The purpose of the audit was to assess SNP's WHSMS compliance and suitability in line with the abovementioned ISO standards. The auditor is shown the system that is used by SNP and how it works. The auditor then selects sample sites that are reflective of that. The Sydney

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University site was one that was sampled. There were other things that were not compliant at that site including first aid kits, fire extinguishers and their vehicle inspections were not done properly. These were minor issues and not major non-conformances as such.

15. After a number of fatigue breaches occurring at Sydney University, I was briefed that SNP National Operations would not be aware if a guard was working too many shifts and in breach of WH&S, until the timesheets are received and their names appeared against too many shifts. The Microster system that is used has the rubrics that an individual cannot work more than a certain number of days and more than a certain number of hours. If the system flags a breach it is escalated to Domenic and he escalates to whoever it needs to be escalated to in order to address it. So, if for example Fawad was doing 35 hours and then using another name for additional hours, it wouldn't flag that as the system would not register any irregularity with that.

16. I mainly evaluate for performance and from that perspective when I see all of the disparities I ask questions but all I ever heard from Daryl was excuses.

17. In relation to my interaction with SIG, this commenced around mid 2017. It was when Lisa Cooper (an account manager) had some issues and complaints through the client. At that stage the issues were not in relation to the Sydney University site it was other sites.

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18. I recall that a meeting was arranged with Tamara, Lyn Li (account manager at SIG), a guy called “Romy” or “Ramy” (who came with Lyn and was introduced as the Operations manager) and myself. Lyn was the spokesperson for SIG as Tommy Sirour was in Egypt, however, he was contacted by phone and contributed to that meeting via phone.
19. Tommy Sirour is the CEO and/or director of S International Group (SIG). SIG undertakes subcontract duties to SNP.
20. Part of the feedback that SNP received from the client was in regards to SIG guards not knowing how to scan or how to use the scanners and this was confirmed by Lisa.
21. I recall that I received an email dated 1 September 2017 from our National Workforce Planning Manager – Protective Services, Linda Willard, where she was criticising SIG, as one of my advices was to the business that SIG had to go regardless of the cost involved. This was due to their behaviours and performance not being aligned with the behavioural expectation of SNP, in relation to the contractual agreement, the code of conduct of SNP and the way they have behaved against other individuals and employees.
22. I can recall that I attended a meeting where Emir Balicevac was placed as the 2IC at the university. This happened during a meeting where Tom (Roche) and I were both present. Although it is not a normal practice to have a site manager as well as

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a 2IC on a SNP site, ultimately it would contract driven. If the position isn't in the contract it isn't recoverable and the client wouldn't allow it. In this case the 2IC for Daryl or for Sydney University is a contract which specifically listed how many people in what capacity they need to be and the hours required.

23. To the best of my knowledge Daryl was responsible for ensuring the guards are fully trained, arrive on time for their scheduled shifts, comply with the scope of work and to ensure that everyone works in a safe manner. He is responsible for attending client meetings as he's the point of escalation to the client. As the contract manager Daryl was responsible for meeting key performance indicators ("KPI's") and it was expected that he would have had visibility of client's budgets. This was expected of him as he was the sole point of contact, the sole subject matter expert and negotiator.

24. In relation to payment processes it is my understanding that it was Daryl as the key person who was working with Dennis Smith ("Dennis") to reconcile and arrange payment of the invoices as well as managing staff. Dennis is the Operations Manager, Campus Security Unit at Sydney University.

25. In my role, my department is a support department whereby I provide the system, the guidance, documents, forms, procedures, policies and KPI's concerning WHSMS of SNP. From there the managers are responsible for complying with each of those safety requirements as per SNP's WHS policy and obligations under the Act and regulations. My team and I then audit these operations and/or as

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incidents are reported, we would review and provide them with feedback and question them as part of the continuous improvement stage. When issues are significant, I deploy my advisors, who will assist the manager to investigate, communicate, provide advice, create additional training, and assist the responsible manager from an SME perspective to consult with the clients and anything else that is necessary and required. Daryl is one of the account managers and is in charge of complying with those and he reports to the branch manager who at that time was Phil Tansey. Tansey in turn reports to the general manager, which was a vacant position at the time, so reported to Tom.

26. At SNP, we have a system called “Jira” which is our corrective action recording platform. So when there is an incident, it is recorded and assigned to the account manager or the responsible person. When an incident was assigned to Daryl he would provide a lot of response but little action. It was always that way.

27. On 21 March 2018 at 4.03pm an email was received from Domenic to Tommy and Lynn at SIG advising that a timesheet for Sydney University Patrols had been updated and it identified that Yahya Alabdulla worked for 7 consecutive shifts which was a breach of the fatigue management guidelines. The only response that was received was an email sent on 21 March 2018 at 4.25pm from Tommy stating *“Thanks for bringing it to my attention I’ll address it this afternoon and I’ll get back to you sometimes this afternoon.”*

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28. On 4 April 2018 at 16:42, an email was sent to Tommy (tommy@sinternationalgroup.com) and Lynn (lynn@sinternationalgroup.com) by Domenic Giardini (dgiardini@snpsecurity.com.au) and he copied myself. There were others were copied into this email including Linda Willard, Daryl McCreadie and Emir Balicevac. Domenic raised an incident of yet another breach. The response and email received from roster@sinternationalgroup.com had the name of “Frank” signing it off in response to the email described in paragraph 27.

I received a reply to this but it was not from Tommy as I had expected, it was from “Frank”.

29. At that time I was not aware of who “Frank” was. I have since found out that “Frank” is the team leader or a control operator. I can recall that Domenic said something to the effect of “*Look, Frank is our employee*”. I recall that Frank advised National Operation Centre (NOC) of him being available due to illness for his shift on a day and I cannot recall which email address was used (i.e. from a different email address or a Sydney University email or from SIG). I said something to the effect of “*Who is Frank?*” And Domenic said “*Well, Frank is our direct, but Frank apparently works for SIG as well*”. This prompted me to another email where I went straight to Frank and told him I was not happy. My email to Tommy was “*I don’t really care what you want to do with this stuff. I don’t really care how it happened. What I’m asking is, what your process is, what are you going to do about this strategically to be compliant?*”

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30. On 23 March 2018 I sent an email to Tommy as a result of yet another breach of fatigue management. I stated in the email *“I have attached a copy of the “Guide for Managing the Risk of Fatigue”; however as a person conducting a business or undertaking (“PCBU”) I am confident that you would be aware of S International’s obligations with regards to WHS.”* Also contained within this email I noted that *SNP require S International’s prompt investigation with regards to the following:*

- *The description and reason for this breach*
- *Who authorised and approved the excessive days/hours of work*
- *What are S International’s current policies, procedures, training for S International’s staff engaged in SNP client’s sites with regards to fatigue management*
- *What corrective actions have been or will be taken to prevent re-occurrence.*

31. I can recall that there were repeated breaches of fatigue management by SIG and although I was advised by Tommy or Frank that this would be addressed the conduct continued.

32. On 9 April 2018, I attended a meeting with Philip Tansey (SNP), Daryl and Domenic Giardini (SNP). The purpose of this meeting was to discuss the non-compliance of Sydney International Group (SIG). Some of the things that I recall being discussed included:

- Non-compliance of demonstrated fatigue management

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- Obligations under the contract
- Documented process not being followed even after meetings held
- Sub-contractors obligations towards us (SNP)

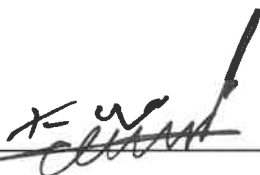
In addition to the aforementioned items that were discussed we also spoke about inviting Multi Works to take over the contract.

33. On 10 April 2018 at 13:02 hours, I sent an email to Tommy at SIG and others. The subject of that email was "Removal of SIG from SNP Security Services". I advised that "... SNP no longer requires the services of S International Group Pty Ltd at the following sites:

- Sydney University
- NSW Civil and Administration Tribunal (NCAT); and
- REDBC"

The last day of service was to be 8 May 2018.

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