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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 WEDNESDAY 26 SEPTEMBER, 2018

AT 10.30AM

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: I managed to leave my glasses on my desk. Sarah, will you be able to go and get them, thank you? Ms Gleeson, you seek leave to appear?

MS GLEESON: I do, Commissioner.

THE COMMISSIONER: Okay. That leave is granted. When my associate comes back we'll have the interpreter sworn in. Thank you, thanks. I do apologise for that.

10

This is, we might have the interpreter sworn in now if we can so this can be translated. Oath or affirmation?

MS XU: Oath.

THE COMMISSIONER: Oath, thank you.

<VA FEI XU, sworn

[10.41am]

20

THE COMMISSIONER: This is a compulsory examination of Liansu Dai.
THE WITNESS: Yep.

MR BAIN: Commissioner, can I just inform you that I had a chat with the witness at the outset and she's indicated that if she has any problems understanding the formalities that you're about to explain to her, she'll then refer it to the interpreter for interpretation.

30 THE COMMISSIONER: That's fine.

MR BAIN: But she'll want to just follow the, the, the flow of what you're about to inform her.

THE COMMISSIONER: Ms Gleeson, can I take it that, that, I take it you've seen the summons?

MS GLEESON: I have.

40 THE COMMISSIONER: And are you satisfied that your client is aware of the scope and purpose as referred to in that summons?

MS GLEESON: Yes, that has been explained to her, Commissioner.

THE COMMISSIONER: Okay. And can I also take it that you seek a section 38 declaration?

MS GLEESON: I do.

THE COMMISSIONER: All right. And have you explained to your client her rights and obligations and the effect of a section 38 declaration?

MS GLEESON: I have, Commissioner.

10 THE COMMISSIONER: All right. I propose to make a number of directions and a section 38 declaration. Pursuant to section 31A of the Independent Commission Against Corruption Act, I direct that the following persons may be present at this compulsory examination – Commission officers, including transcription staff; the witness; the witness’s legal representative, Ms Gleeson; and the witness’s interpreter.

20 I also propose to make a direction under section 112 of the Independent Commission Against Corruption 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 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 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: I should remind or tell the witness that it is a criminal offence to contravene a section 112 direction. The effect of it is that what you say here and the documents that are shown to you, you cannot communicate that to other people.

MS DAI: Sure.

THE COMMISSIONER: Do you understand that?

10 MS DAI: I understand.

THE COMMISSIONER: Thank you. I think we'll have the witness sworn now and then I'll make a section 38 declaration. Affirmation, is it?

MS DAI: Bible is fine.

THE COMMISSIONER: Bible's fine.

<LIANSU DAI, sworn

[10.45pm]

THE COMMISSIONER: Now, your, your counsel Ms Gleeson has probably explained this to you but I'd, I'd, I'd like just to set out what your rights and obligations are as a witness before the Commission.---Okay, thank you.

10 As a witness you must answer all questions truthfully and you must produce any item required by me to be produced. The effect of a section 38 declaration is that any answer you give or any item that you produce as a consequence of me requesting you to produce it cannot be used against you in any criminal proceedings. Do you understand that?---I understand.

20 There is one very important exception, though, and that is it doesn't prevent your evidence from being used against you in a prosecution for an offence under the ICAC Act, most importantly an offence of giving false or misleading evidence. So the declaration I'm about to make will not protect you if you tell lies. Do you understand that?---Sure.

And I should tell you that the penalty for giving false evidence to this Commission is very serious. It can lead to imprisonment for up to five years. Do you understand that?---I understand.

30 All right. 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 this witness during the course of the witness's 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.

40 **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 THIS WITNESS DURING THE COURSE OF THE WITNESS'S 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.**

THE COMMISSIONER: Anything else? I think that's it, isn't it? Yes. Thank you, Mr Baine.

MR BAINE: Thank you, Commissioner. Would you please state your name?---Liansu Dai.

And your date of birth?

THE COMMISSIONER: You can sit down. Yes. You've been watching too much television.

10 THE WITNESS: Just a little bit nervous. [REDACTED].

MR BAINE: Okay now Ms Dai, would you mind just pointing the microphone towards your mouth. That's fine.---Should I repeat?

No, no, that's okay.---Okay.

Your residential address?---Currently is unit [REDACTED], [REDACTED].

20 Thank you. And what's your mobile telephone number?--[REDACTED]
[REDACTED]

And do you have an email address?---It's [REDACTED].

How many years have you used that email address for?---How many years? Since 2012, will be around six years.

And would you use that for personal matters?---Yep.

30 But would you also occasionally use it, if you, when you were working at SIG?---No. I, I was only use the, the company provide me the email to communicate with work issues.

Okay. Yep.

Now, Ms Dai, what's your occupation?---Currently?

Yes.---It's accountant.

40 And whereabouts do you work?---I work for Alan Ross & Associations.

And whereabouts is that?---A specific address or - - -

Yes.---It's at 204/107 Walker Street, North Sydney.

How long have you been working there for?---Since March of 2017.

And before March of 2017, where were you working?---I was working with S International Group.

So when did you start working at S International Group?---It was officially start from 1st of July, 2016.

All right. Well, for convenience, I might refer to it as SIG?---Yep.

10 And you started in July of 2016 and left in approximately March, 2017?
---Well, it, it should probably end under, what word do you say? I, I left, what is it, I left Australia, 21st of January, 2017, went back home for holiday for four weeks and when I come back I have this offer from my friend, refer me to Alan Ross Associations and, and probably one week or two week, I told my SIG manager, say I wanted to leave. It's probably another two weeks and I fully Alan Ross Association, working there, yep.

Who was your manager at SIG?---Full name is Li, Qin. Li is the surname. English name is Lynn, L-y-n-n, yeah.

20 And who were some of the other people that you worked with at SIG?---My colleague was Maggie and Jess, Jessie, yeah.

So did Maggie and Jessie have other names or was that their - - -?---Oh, Maggie's full name, oh, what's his full name? I, I can't really recall the full name. Probably Liu Xiang but the surname would be Liu, L-i-u.

Uh-hmm. Yeah.

30 And what about Jessie?---Jessie. I, I can't remember because I think she lives in Australia for a long time so I just remember her preferred name Jessie.

How old was Jessie, do you recall?---At the time I met her in 2006, she was 21. Probably 21, yeah, that's right.

40 And was there anyone else other than Jessie and Lynn at SIG that you worked with?---Before 1st of July I was partially work at SIG because they have to test me whether I can work there, adapt to the work. There is another person called Summer but she left very soon after I officially work there, yeah.

And did you know her other name, her - - -?---Summer, I, I can't remember, sorry.

All right. Now, Ms Dai, what were your responsibilities at SIG?---Basically I have to reconcile [sic] the time sheet from the site, say Sydney University, and the personal, the security guard's personal time sheet, to reconcile their working hours and prepare the invoices for, to SNP.

And were they really the three main things that you worked on?---That's the main, main duties but also at the other time I, the SIG manager would require me to do some entries in MYOB for the invoice or general building or expenses, something like that.

10 And who was it who taught you how to reconcile the time sheets?---I was taught by Summer but also SIG manager will help me to go through how to pick up the hours and how to compare with security guards' time sheet and, yeah.

So when you say SIG manager, you're referring to Lynn Li?---Lynn Li, yeah.

And what about the boss of the company, Mr Tommy Sirour?---You mean what he's doing?

Did you have anything to do with him?---About time sheet or - - -

20 Just in general.---In general?

In your employment at SIG.---Most of time he was going out meeting with clients and he, yeah, he didn't do much about the rostering unless at the weekends it's no-one we can find. He will be call or SIG manager will call him to arrange someone to be on-site.

Right. Yeah.

30 But did you have much to do with him personally?---No.

Did you meet him?---He would came to office.

And the office - - -?---Come to office.

- - - that you worked in, was it in Mascot?---Yeah, Mascot.

And was Mascot the only office that you ever worked in?---Yeah.

40 How did you get the job for, at SIG?---Well, at the time I was looking the job on website and there was a post Today Sydney, that's quite a Chinese advertising for everything, including jobs, and there was one post from SIG, I think that post by Lynn, and I just called them to see if there's a job available.

And the website is called Today Sydney, is it?---If I'm not remember wrong. Sorry, can I ask my interpreter?

Yes, of course.---Okay, yes.

Okay. Thank you. And was there anybody else other than Tommy or Lynn or Summer or Maggie that you remember working with at SIG?---No. In the office was, there were only them I work with.

Do you remember meeting a director of the company named Ramy Khalifa? ---Ramy Khalifa? No, I couldn't, no, I don't know this name.

10 Okay. And how were you paid when you worked at SIG?---How I paid?
Ah, I was get money from, transfer, I don't know how to say the words, sorry, pardon me. *By EFT.*

I see.---Yeah.

Now, did you ever receive any cash payments while working at SIG?---At the beginning as the, say, partner or intern there, they pay me cash 'cause I thought they saying I'm not officially working there, yeah, and later on it was required, like, they're doing that way, say after I work over three days, if I work more than three days they only pay me cash over that days.

20

Right.---Yeah.

And did you notice that other people at SIG were being paid in cash?---I, I notice that there were people coming to the office to pick up the envelope, yep.

Right. I might ask you some questions about that shortly.---Okay.

30 But do you recall the reasons why you left SIG?---Reason I want to left, first of all my, my focus will be on a proper accountant career. And after half year I work there I don't think that's help me to go on proper job, and another reason is I don't really like the way they do it 'cause really frustrate me, like, to contact all the security guards and there's some more issue there too and I don't like anyway and I just want to left there.

40 Would you like to tell us about those other issues?---'Cause I received a summon, the first question will be about the errors on the time sheet. At the very beginning there not much something deal with it, only after I work there three months there's a person, the SIG would like someone to look at the site to ensure there's people were working there properly, but this person called Frank, he, he responsible for the roster, but other time very like say emerging or very additional jobs need to, need more people to cover, but if he find like not many, not enough people can cover that, he will just ask some people to stay back and then I'm not sure is he talk to SIG manager or SIG manager told him to do that for the cases like, like, for the cases like that before, they ask, they just provide other security guards who were not working there – sorry, I probably to, I need to rephrase it, sorry. Too much.

Take your time, Ms Dai.---So can I rephrase it. They, they will ask, they will need some other security guards men working on other site to fill in the time sheet, but people who really work there, it was other people on the site who would rather ask for stay back were doing the job at the same time. That's only for the additional jobs they couldn't find anyone else, yeah, but most routine job they, they are correct or say people who are very stable on the jobs position, that's correct. Only for the additional part of the job they make something smart, say, on it, yeah.

10 So, you understood that occasionally – is Frank, Frank Lu? Is that the Frank you're referring to?---Oh, Frank Lu. I'm. I'm not sure her, his surname but I know he's Frank, yep.

So would Frank sometimes receive a request from the university for more work and Frank would sometimes ask guards to stay back after their rostered shift to help him perform that work, is that correct?---Can you repeat again? I have to make it clear, sorry.

20 So, you provided a few examples just previously. Is one of those examples that Frank would ask SIG guards to stay back at the end of the shift and help him perform extra work at the university?---Most of the case like that, yeah.

But sometimes there were occasions where Frank would get the names of other guards who weren't attached to the University of Sydney and he would put their names on the time sheets. Is that correct?---Yep.

30 And who would perform that work?---Oh, like I said, people who, like, in the same hour, they already have the job on it but because they, they don't have many people on it to work other jobs, so they ask the people to do two job at the same time.

Two jobs at the same time, yes, okay.---There probably one case like that.

So, were there some other people at the university that you knew Frank dealt with closely?---I don't know how SIG manager get to Frank but I think Frank is belong to SNP? He is the team leader but previously I know, I'm not sure he is SNP people or is from Sydney University. The name Emir, E-m-i-r, and Daryl.

40 And Daryl.---Yep.

What did you know about Emir?---I only know when on Monday we need to receive the time sheet from Sydney Uni, we, if we, we didn't receive in the email, we just ask him to send it to us.

Did you ever meet Emir?---Probably once in time but I couldn't remember when.

Would he have come to the Mascot office?---That time he probably came to meet Tommy.

Right. Yeah.

And did you ever see Emir at the Mascot office collecting an envelope of money?---No.

10 And what about Daryl? Did you have any dealings with Daryl?---Daryl came sometimes, pick up the envelope, yep.

And did you meet Daryl?---When he came to office.

But otherwise you would communicate with Emir and Daryl over email or text message?---Only for asking for time sheet, yep.

Well, Ms Dai, I just want to ask you three questions.---Yep.

20 Are you aware that SIG or SNP employees would use the names of other people to claim overtime?---SIG people used other name to collect money?

Overtime.---Overtime.

For overtime.---You mean SIG people in the office or the security guards? Sorry.

30 So, SIG people or SNP people working at the University of Sydney?---They very random, like, coming, like say who is available to come, they just come.

So, you weren't directly aware that people were claiming overtime?
---Overtime, overtime. You mean the hours they didn't work but they claim it?

THE COMMISSIONER: No, no.---Sorry. I am confused.

40 I think he's going to come to that in a moment but I think it's essentially people working longer than they should have but using somebody else's name.---Yep.

Did that happen?---Yeah, that's why they used the other people's name.

Okay.

MR BAINE: And secondly were you aware that SIG or SNP employees at the University of Sydney would use the names of other people to claim additional shifts?---I - - -

Maybe even working two shifts at the same time?---Yep, that's for additional job, yeah.

And thirdly were you aware that SIG or SNP employees at the University of Sydney would use the names of other people to claim shifts that they did not actually work?---That's the part I'm not sure 'cause my guess from the time I worked there will be probably the people like Frank who in charge of the time sheet have the opportunity to do that, but I'm not sure. I'm not in the site. I only collect the hours from the time sheet they send to me, that's the part I only know, yep.

Well, I'd like to show you some documents if that's all right?---Sure. Oh, gosh, I forgot this part.

That's okay.---I forgot, 'cause sometimes - - -

So, Ms Dai, I see that you've realised you might have sent an email - - -? ---I forgot.

20 - - - from your - - -?---Yeah.

- - - personal email address. That's okay.---Yeah. If you, let me put it this way, because we, we don't be provide the work forms which usually we, we contact security guard to send our time sheet, so the way to do it is, we use our own personal phone to contact all the security guards for the time sheet production. And for the convenience I just copy it and send to my email through the, my phone and I can print it out from the computer using my personal email. I very sad, I couldn't remember this part, sorry for that.

30 That's fine. Thank you. But as you can see, this is an email on the 29th of August, 2016.---August, yeah, yep.

And it's from you to an email address, info@sigservices.com.au.---Yeah.

That email address, info@sigservices.com.au, is that the email address that you would usually send emails from?---Yeah, info@sigservice.com.au. That's the, that's the information I usually collect the time sheet from security guard, but I can't recall, I probably have another work email, is under my name, probably under my name is got sue.sigservice.com.au. I couldn't remember the other email but I should have another one or email to send invoices to SNP. I'm really sorry, I'm frustrated 'cause it reminds me of the time I, if the security guard couldn't do properly send the time sheet to the work email I have to chase up them from my phone and send to my personal email and - - -

And is that an example of what's happened here? Do you think that you were chasing up with one of the guards from your personal email address? ---Yep.

Well, if you'd like to take a moment to look at this email. Once you've done so, can you explain to the Commission what is happening here?--- Okay. Okay. Okay. Sign on, Atif Ali. Okay, if I recall it right, this person should be Atif Ali. His normal position was patrolling but, like, say for example on Wednesday 24th, he did unlocks. Oh, because, why is that? Okay. He use other name, Rob Basselly. Why, what is unlock job? Okay. This person Alif, Atif Ali, his normal job was the same as probably the patrol job but because on Wednesday he was working quite long hours, so he used two other people's names.

Why would he have done that?---I don't know. I, I think probably he talked to Frank. He wanted to more hours. Oh, because unlock job and say the second times because unlock job only four hours, he probably only needs, like, one or two hour to be there, to fulfil the job duties and at that time he can sooner perhaps go to start the second job. Yeah. Sorry, couldn't recall anymore but - - -

That's all right.---That's I can explain.

You've identified you think this email was sent by Atif Ali. Down the bottom it says - - -?---Say Alan.

- - - Alan.---Oh, this person, he has his prefer name, Alan, I think so. Yeah.

And your recollection is that Atif Ali's preferred name is Alan?---If I do recall, remember wrong, but usually we will call him Atif Ali, yep. He, he call himself Alan.

And its, do you see about halfway down --- Yeah. ----- the name Ali Syed is listed?---Ali Syed.

It's on a line by itself.---Oh, yeah.

Why would that be there?---I would say Ali Syed is the name he used but I, I, I can't remember. Their names very similar to me, yeah. Probably they, Ali Syed, who's Ali Syed? I'm sorry, that's all I can, I see from there, is he used many other people's name to sign the time sheet. Yep.

So you've identified that you think this email is sent by Atif Ali - - - Yeah.----- whose preferred name is Alan?---Yeah.

And you can see that a number of other names have been used.---Right.

For example Rob Basselly, Ali Syed - - -?---Yeah.

- - - Amyna, Magdy. Do you know why he would be using names that aren't his own?---I think the hours he, the job he will attend overlap the

hours, so I've been told from SIG manager that one shift should not over 14 hours and if a person continue work over that hour will be, obviously will be picked up when sent to SNP. Yeah, when we invoice SNP, yeah.

So for example on the Wednesday - - - Yeah.

----- you can see that there are three shifts. - - - Yeah.

10 And the first one goes from 0600 hours to 1000 hours but then the second one goes from 0900 hours to 1700 hours so there's an overlap of - - -?
---Yeah.

- - - one hour there, isn't there?---Uh-huh.

But what's happened would appear is that this gentleman has actually claimed for the overlapping time, hasn't he?---Yeah.

So do you think that this sort of behaviour was common at the University of Sydney at this time?---I think that time is the orientation week.

20 That's correct.---Yeah. Is during that half year as I aware was like something like orientation week or exam week or exam months there are particularly many hours was required, and they short of guards, security guards, so they have to do that way, and some security guard, like this person, he, he can work very long hours I can see, yeah.

But - - -

30 THE COMMISSIONER: But it seems he was claiming for at least an hour that he couldn't have worked.---Yeah.

THE COMMISSIONER: Yeah.

MR BAINE: And in order to work the very long hours they had to use different names, did they?---Yeah. If it's over 14 hours, yeah.

So you saw lots of emails like this, did you?---Yeah.

40 Every week probably?---As I said before, in terms of busy time they happen like that but everything goes to very, very complicated like this after Frank took over the roster, yeah.

Why did it get complicated?---Like something like this because we have to take many time to, to check who really did the job, under which names so we can pay correctly to them. I mean the SIG to pay them according to those hours.

I'll take you to page 2 which - - -

THE COMMISSIONER: Just before we, are you going to come back to this or is that it?

MR BAINE: No.

THE COMMISSIONER: Something that occurred to me, you will see one, two, three, four, five lines up it says “plus second” something “four hours”. It’s sign on George Boutros.---Yeah.

10 Then it says “half going to Amyna”.---So - - -

What does that mean as you understand it?---That part probably is they split the jobs saying, I, I couldn’t know which four hours it was belong to but probably the Friday, the 12 hours - Mmm-hmm.

THE WITNESS: --- having four hours – why is four hours. Half going to Amyna. But Amyna probably is the other time was the team leader of that shift so they split the job with – I’m not sure why it’s four hours now. There’s 12 hours in the whole shift.

20

But it seems that he, he signed in the name of, signed on in the name of George Boutros.---Yeah.

But then he’s paying half of the amount he would have earned to this person Amyna. Do you know why?---Oh, oh, I recall now. So (not transcribable) is the one position. Second (not transcribable) is another position. So it’s actually probably is the first 12 hours and the second (not transcribable) is eight hours but they happen probably on the same time, so they split that eight hours. So the hours overlapped I think.

30

So again somebody’s being paid for work they didn’t do.---I, I would say they probably did it - - - - Yeah.

THE WITNESS: --- but it’s on the two jobs at the same time.

And if you look at Saturday- - - - Yeah.

THE COMMISSIONER: - - - am I right in thinking that there are 24 hours claimed there?---Saturday, 24 hours. Yeah.

40 Yes. That’s pretty unusual, isn’t it, working 24 hours?---I’m not sure is this person or another person. The security guard, he, he work really hard. Yeah. He just worked over the day.

But again there’s overlap, isn’t there?---Yeah. Is it?

So you’ve got 5.30am to, well, in fact 5.30pm.---Start from 6.00 again.

And you’ve got, yes, 6.00 – is there overlap? No, there’s not, is there.---No.

No. Okay. Yes, sorry.

MR BAINÉ: There doesn't appear to be. But to work a 24-hour shift is particularly unusual when you'd be backing up from a 12-hour shift on the Friday, and then to have to perform another 12 hour shift on the Sunday. So the guard would be very fatigued, wouldn't they?---What's the word, sorry?

Do you think the guard would be very fatigued?---Fatigue?

10 Tired.---He probably, I don't know but he might be take the nap doing the work. That's I can see.

But if he did take a nap, for example, the time that he's most likely to have had a nap would be on the Saturday where he's claimed 24 hours of work. ---I have no idea how they did that, but that's what the person usually sent to me, yeah.

20 But did you have any suspicions about the hours that they were claiming? Did they seem wrong?---SIG manager, like, he, she, she, I, I, I think at beginning I asked her, like, saying, "Is it very, is it right?" and she, she doesn't really change things like that. Didn't ask them to "Don't do this anymore," but he, she just say, "Just do that way." So as long as they stop from using the false name, we didn't cover anything, like, on this. Yeah.

Okay so once again, when you say the SIG manager, you're referring to Lynn Li?---Lynn, yeah.

30 THE COMMISSIONER: Am I right in thinking tha, thatt between Friday and Sunday, including both those days, this person claimed for 55 hours?

MR BAINÉ: It's been a busy period for that particular person on the face of the time sheet.

THE COMMISSIONER: But it's very unlikely, isn't it, that somebody would work 55 hours over three days?---He's very particular person. He can work very long hours.

Which particular person?---This person Atif Ali, I think.

40 Very well, thank you.

MR BAINÉ: Thank you, Commissioner. Now, Ms Dai, if you turn to the second sheet - - - Yeah.

----- the second page, this is an email sent from SIG Services to Frank Lu - - - Yeah.

----- on the 30th August, 2016. It attaches a document that I'll show you in a moment- - - Yeah.

----- but the email is signed off by you, is that correct?---Yeah, it's, it's sent by me.

Now, I just want to draw your attention to the text, we'll come to this on, in a moment, but you can just see that it says sheet 1 is made according to site time sheets.---Yep.

Sheet 2 is the hours split.---Yeah.

10

And sheet 3 is the summary for individual hours.---Yeah.

Now, there are two documents that I'll show you. It's the second document that reflects that, those, those three columns. But if you turn to page 3, what is, do you recognise this document?---Yeah.

How do you explain this document?---So the Excel with no colour on it was the, was the original site time sheet.

20

So this is just an extract of the site time sheet?---Yep. And on the right side of the yellow one was the person who claimed those shifts.

And then a repetition of the amount of hours that they have claimed. ---Yeah, the hours.

So who came up with this document?---Who came up with?

30

Who created this document?---Sometimes me, sometimes Maggie, to entry those time sheet according to the site time sheet and the security guard's time sheet.

And did you find it confusing that you had to record first of all the name on a site time sheet - - -?---Yep.

- - - but then you had to reconcile it with who actually performed that work? ---Yeah, that's the way we've been told to do that.

And who told you to do that?---I will say the person who told me to do this, I will say Lynn, yeah.

40

And did anyone at the university help you or send emails to help you prepare this document?---Prepare this document, like?

So the document on page 1 - - -?---Right.

- - - that I showed you, would you call this a personal time sheet? ---Yeah.

And would each guard send you their personal time sheet at the end of the week?---On Monday.

On a Monday.---Or weekend, whatever, yeah, on Monday, yeah.

And these obviously helped you prepare this document, didn't they?---Yeah.

This document on page 3?---Yeah.

10 And do you think that there was anyone at the university who was keeping a watch on the hours that people were claiming?---Watching the hours? The way it works is usually SNP will send requirement for security guards fulfil the duties and then, and then roster manager will, will arrange security guards to attend these jobs and we, we usually firstly will call in to arrange the roster to prepare the Excel and then we just check with the security guards again, the time sheet, there's no time sheet to check if that's the hours been worked there, but you say someone watch they're working there, I say would be the site manager responsibility to over-watch that.

20 But also the roster manager was very involved in helping facilitate all of this, weren't they?---Yeah.

And the roster manager was Frank?---I, I couldn't remember when Frank was involved in this but from the email, 30th of August, that mean he work from August, yeah, but before I, at the very beginning like say in July, I, I didn't see any content from him.

30 Was there another roster manager during that period?---I, I don't know if it was Lynn or Summer or someone else but, yep.

What about this person, just for example- - Yeah.

----- Atif Ali, could he have been the roster manager?---No, he is only a security guard.

40 What about Ali Syed, could he have been the roster manager?---Oh, Ali Syed. Oh, it might be because the roster manager, this not quite stable all the time. At the beginning there is another person, a security guard, we call him Ali. Oh, sorry, is it Alan's, I am confusing the names now, but in July this person called Ali, he was responsible for the roster. He, he just, Tommy arranged him to be the roster manager to ask him to arrange a security guard shift at Sydney Uni. We call him Ali, but you know, many people from their country is called Ali. So, I am confused the name now, Atif Ali or Alan.

So, your recollection is that there were a few people who had either a Christian name or a surname of Ali and you're just, with the passing of time, you don't have a strong memory?---I know this person. Say you call

him Ali, because I know his name's Ali. His, his, he worked as the roster manager for a while but later on, he got something with Tommy, like, probably not work where we are along with it, so he quit, quit there and then Frank came in.

And that person, Ali, who was the roster manager - - - Yeah.

----- he also went by the name, Alan, did he?---If not wrong, I, I can't confirm with that, yep.

10

And do you recall if the amount of hours that people were claiming - - - Yeah.

----- when he was the roster manager was less than the amount of people who were claiming by this time that Frank was the roster manager?---Sorry, I have to, sorry, can you repeat again? Yeah, is that person - - -

So, this week on page 2 - - - Yeah.

20

----- the 30th of August. The week commencing the, well the week before that, so the week commencing about the 22nd of August. By that time, Frank was the roster manager. Would you agree?---23rd. Well, if Frank's name is on the time sheet, then he was the roster already, manager already there.

So, in the period between July and possibly August, just take it from me, August - - - Yeah.

30

----- someone else was the, the roster manager and that person is very likely to be someone named Ali, would you agree?---Yeah. Yep.

And do you recall whether during that period - - - Uh-huh.

---- the amount of hours that people were claiming were less than when Frank became the roster manager?---People who claim less, which people?

Guards at the University of Sydney.---Security guards. Are you saying, is it because Frank, those people who, the normal security guard work less because of Frank?

40

Well, actually the opposite, that people claimed more hours when Frank became your roster manager.---More, more hours. Sorry. I have to say that because obviously they under the other people names. Yeah.

So you agree?---Yeah.

Okay. Now, if you turn to page 4, this is just more of the same of what we saw on page 3.

THE COMMISSIONER: Can we just stay with page 3 just for a sec?

MR BAINE: Of course.

THE COMMISSIONER: With the yellow colouring - - - Uh-hmm.

If you go to the first entry on page 3, you'll see Emir - - - Yeah.

10 --- Yahya Alabdulla and it's got four hours. Do you see that?---Yeah.

Does that mean that Emir was claiming four hours under the name of Yahya Alabdulla?---Yahya, yeah.

All right. If you have a look at the entries for the 24 August, you'll see that Emir claimed firstly two hours under the name of Lincoln Nock. Do you see that?---Lincoln Nock, yeah.

20 And then he claimed one hour under the name of Sameh Haroun, H-a-r-o-u-n.---Yeah.

He then claimed 12 hours under the name of Lina Chami.---Yeah.

12 hours under the name Malenka Docmanevic.---Malenka, yeah.

Six hours under the name of Eslam Aly.---Yeah.

A little further down, four hours under the name of Ihssan Bataineh.---Yeah.

30 See that?---Yeah.

I mean, you can do the numbers yourself but it seems as though Emir was claiming 35 hours for that one day.---Yeah.

And he couldn't have worked 35 hours, could he?---No.

And you can do the maths again for the 25th of August, but on that day – that is, the next day – he claimed 37 hours.---Yeah.

40 He couldn't have worked 37 hours, could he?---No.

What did you think was happening? And now be truthful. What did you think was happening?---I, my, my thinking, when they start using other people's name to work in the time sheet- - -

Yeah. --- I think they are pretty greedy.

Yeah. --- So - - -

They were claiming hours they didn't work, weren't they?---According to that, that would be the case.

Yes.---Yeah.

Thank you. Yes, Mr Baine.

10 MR BAINÉ: Thank you, Commissioner. And they weren't hard-working all of the time because you can't work as hard as what is indicated on these time sheets, can you?---No.

Because you need to sleep and there are only so many hours in a day.
---Yeah.

So - - -

THE COMMISSIONER: Last I checked it was 24.

20 MR BAINÉ: But some of the maths here suggests that you can do a lot more in a day.

THE COMMISSIONER: Yeah.

MR BAINÉ: But did, did you talk with anyone at SIG, any of the other administrative people, Lynn or Maggie, about what was happening here?
---Lynn knows about it. He knows the game between the, I mean, I wouldn't know why she wouldn't intervene to stop them doing that. I don't know. But she didn't comment on this. She just let it happen.

30 And what about Maggie? Did you ever speak with Maggie about what was happening here?---Yeah, we work together for this time sheet collections. We know that but we, we have no right to stop them to doing that. Like - - -

But did you ever say to one another, "Wow, they're claiming a lot of hours" or words to that effect?---Yeah.

You did?---I mean - - -

40 THE COMMISSIONER: Can I ask you this?---Yeah.

Was the fact that they were claiming hours that they didn't work, was that one of the reasons you left?---I left is I, I don't want to see these things.

See what things?---It's very immoral.

What's immoral?---I mean - - -

Claiming hours you didn't work?---Yeah, and actually it could be someone can to do the job by himself but they claiming like this, like, like other people don't have the hour to work. It could be that case.

It can't be. You can't work 37 hours a day.---Yeah. And I really don't know why Lynn didn't stop doing, let that happening. At the very beginning Emir only claim four hours a week, I think, for the weekend additional job but I, I think it's because Frank came in and the three of them became very competitive for the hours.

10

I think you said they were greedy. Is that right?---Greedy?

I think that's what you said a little while ago. I mean you can't, this isn't, this isn't competing for hours. It's, it's charging for hours that you didn't do. I'm not suggesting for one moment that you had any power to stop it. It wasn't your job to stop it.---Ah hmm.

But isn't that right, that it's clear, it's very clear that they were claiming for hours they didn't work?---Yeah.

20

Thank you.

MR BAINE: And are you familiar with the phrase turning a blind eye?
---Turning the blind eyes.

So where someone deliberately overlooks something?---Sorry, I probably need my interpreter.

THE COMMISSIONER: Don't worry, don't worry.

30

MR BAINE: We, we, I won't press it. It's okay. I'll move on. So can I take you to page 7 of the bundle of documents in front of you.---Oh okay, page 7, sorry?

Page 7. Now, when I just referred your attention in the email on page 2 to the explanation of the, the conduct, so we saw on the pages previously that there was an extract of the actual site time sheet.---Yeah.

40

And then there was the hours split and then there's also the summary of the individual hours. Now, this is a document that summarises the individual hours that people worked. Do you recall this document?---Yeah.

And did you author this document?---I author?

Yes. Did you draft this document?---Yeah.

And you calculated the amount of hours that people worked?---Yeah.

Now, if you have a look at the document you can see that there's orange highlighting and there's also yellow highlighting. What do you think is the difference between the orange highlighting and the yellow highlighting?---I will say the yellow colour so will be the actual people worked hours under their own name and for the orange one will be people who using other people's name.

Okay. Yep.

- 10 So it appears as though a lot of people are using other people's names.
---Yeah.

You mentioned before three people's names – Daryl, Emir and Frank – so we might have a look at the hours that those people worked. Now, Daryl was not an employee of SIG, was he?---That's the one I'm not sure because we only been told to contact Emir or Daryl for time sheet or if they arrange – no, they can't arrange someone. Just for time sheet and probably the job duties because we, they may tell us what that job position was, yeah.

- 20 But he was an SNP employee, wasn't he?---Maybe. I, I never see the, or wear SNP uniform, that's the one I don't know, but I see their contact with SNP people should know the roster. I think, yeah, they have emails communication.

So did you, did you see Daryl's email address from SNP?---They cc him I think, or Emir.

- 30 But do you have a recollection of seeing an email address that had @snp.com.au, which indicated that Daryl was an SNP employee?---I can't remember. I'm sorry about that.

All right. So your, your position is you don't recall if, whether Daryl worked for SNP or SIG?
---He is not SIG people.

He's not SIG?---Nope.

- 40 But yet he's being paid by SIG, isn't he?---Yep. He look for the site, look after the site, yeah.

And why was he being paid by SIG?---I, I don't know why they pay him but my understanding is Emir and Daryl look after the Sydney University site to look up any security guards not there or not working properly. Like, supervisor.

But were they paid any money by SIG to look after the site at the University of Sydney?---Being paid to look after? Be paid look after, I, I think so, I

think so, but I can't remember how, why, any, any deal with they and Tommy, yeah.

So, you can't recall if Tommy was giving them any money?---No. They just, as I said, Daryl came in office to pick up his envelope but I am not sure that's, probably Tommy authorised that but we, we don't talk about that in the office. They, we been just told there are some people coming to collect, that's it.

- 10 Well, it seems apparent, just based on this time sheet, that Daryl is getting paid by SIG, doesn't it?---In, yeah, in this way, yes.

So, I'm going to take you to Emir now. Now, the green highlighting is quite difficult to see but just take it from me, Ms Dai, that if you added up all of the hours that Emir has worked, just recorded in this time sheet, so the entries on page 7 and then if you switch over to page 8, there are two entries there. If you calculated the total sum of all of those hours, you would get 208 hours.---Yeah.

- 20 Now, that's 208 hours for one week's work and there's no way anyone could have worked 208 hours for one week's work, is there?---No.

So when you saw a document like this, or when you put together a document like this that recorded someone had worked 208 hours of work, did you raise any concerns with anyone?---Yeah, with, I, I, we, either me or Maggie would talk to Lynn, say Emir, Daryl, Frank, this week they been working the hours and, yeah, we, we told, we reported to Lynn.

- 30 And what did you say?---What did I say?

Yes.---I would just say, Lynn, Frank or Emir, Daryl, Emir, they have 200 hours there.

And what was the response that you received?---Probably crazy or wow or something like that.

But they did nothing about it?---No.

- 40 So, to the best of your knowledge, Emir was paid for 208 - - - Yeah.

----- hours of work. Do you recall what the hourly rate was?---I think will be 20, 21, 22.

So say it's about \$20 an hour, - - - Yeah.

---- he would have got about - - -?---40,000.

4,000?---Oh, 4,000, around there, yeah, I think.

So, that's quite a lot of money, isn't it?---Yep.

And would that money have been the subject of tax or any superannuation or anything? Would anything have been withdrawn from that money by SIG?---I don't think Emir, because Emir is not SIG employee, so I don't think he is on the tax. I don't think so.

10 So Emir, who was not an SIG employee, is getting paid by SIG for this week for approximately \$4,000.---For that week, yeah probably, yeah.

In cash.---Yeah.

Did you ever see Emir come and collect cash from the Mascot office of SIG?---No, he didn't come in, he didn't come in the office.

THE COMMISSIONER: What about Daryl?---Daryl came, yeah, Daryl came to the office.

20 Every week?---Not sure it's a week or a time, a month, a time,- - -

THE COMMISSIONER: Uh-hmm. - - - yeah, but he came.

MR BAINE: Now, Ms Dai, just on page 7 when I was showing you the entries in relation to Daryl, you can take it from me that he claimed 93 hours of work.---Yeah.

30 So I'm rounding up here, but approximately \$2,000 in cash he would have received for - - -?---Ah hmm.

- - - that one week.---Yeah.

And if we go down to Frank Lu, you can see that Frank has done two things, first of all he's claimed a number of hours highlighted in orange.---Yeah.

So using other people's names.---Ah hmm.

But he also claims a number of hours highlighted in yellow.---Yeah.

40 So using his own name.---Yeah.

But Frank was an SNP employee, wasn't he?---The, the thing is, say in this week the roster been arranged, the certain hours was arranged by SNP, so they are paid under SNP, but extra hours we can ask SNP security guards to work with SIP, SIG, so that 32 hours, I would say that's normal his position job, yep, that was his own duty, but we pay.

Why, why would that have happened?---Just like a subcontractor but we will borrow his people, borrow SNP people.

Right.---Like that.

Well, he, as highlighted in yellow, has worked 32 hours, but you can take it from me that if you add up all the hours highlighted in orange, that it's approximately 126 hours.---Yeah.

10 Now, it's extremely unlikely that Frank worked 126 hours plus 32 hours, isn't it?---Yeah.

Because he's almost worked every hour in the day for a week.---Ah hmm.

So was, was Frank paid in cash as well?---Yeah, I think so, yeah.

How did the cash get to the Mascot office?---I, I don't know that part.

20 Were you responsible for counting the cash and putting it in envelopes?
---I've been asked to do sometimes.

So is this right, Ms Dai? You would use a document like this that starts on page 7 to help you calculate how much cash needed to be paid to these people on this sheet?---No, it's not right.

30 So can you explain then what was happening for people who needed to collect cash? So for Frank, Emir or Daryl. Who was responsible for counting the cash and putting it in an envelope?---So Lynn will be, after we, after we calculate the hours and in Excel we calculate the rates, times the rate, we get the sum of the money we need to pay the employees.

Yep.---And Lynn will organise the money and, and he just arrange someone to bring the money coming and ask me, Maggie or Jessie to count the money and put in the envelope.

But would someone bring tens of thousands of dollars of cash into the office each week?---Yeah.

40 And did you see that person?---Sometimes.

Do, do you recall that person's name?---I couldn't remember.

Ms Dai, would you turn to page 10. This is an email from info@sigservices to Daryl McCreadie on the 31st August, 2016, but it's signed by you.---Yeah.

It attaches a document. If you turn to page 11, you'll see the document and it runs to page 13. Can you explain what this document is?---Open day. So

that's opening week, orientation week for Sydney Uni. This one, I think when there's a, when we know their requirement for additional job like this, opening week, they will provide the job description, and I couldn't recall it's from Frank or they just send to our email that giving this time and the, the document we need to arrange. And, and I, I couldn't remember it's from Frank or someone else, like, giving the names and I just organise putting the Excel and send to Daryl, and Daryl will be in charge I think for overlook those, overlook this job position.

10 Do you think that these names were actually the names that were going to be used by people like Frank or Emir or Daryl?---So - you mean the name will be used by them for - - -

To claim for work.---Yeah. Yeah, some of the names probably they, they didn't attend the job. They're being used.

Pardon me one moment. Can I just take you back to page 7. Now, we've spoken about these guards receiving cash for the work that they performed.- - - Yeah.

20 Why do you think SIG paid people in cash?---They want avoid tax, like, yeah.

You understood that to be the reason?---That's my understanding.

Were you told that by anyone at SIG?---What, told that they avoid tax, no. That, but they, at the very beginning when I worked there, they just told me, there would be, that only part of the payment will be on tax and they, they pay rest of it by cash. That's it, that's the way they operated.

30 And if we looked at Daryl, for example - - - Yeah.

--You can see the very top entry, he's used the name Anthony Scott Chan and then the second name that he used is Ashlee Parker, and so on. Who would have given him those names?

---Daryl, oh, you mean the name being given? Lynn ask me to provide the name to Frank, yep.

40 So, what did Lynn ask you to do? Where did you get those names from?
---Because SIG have several sites, different people work at different sites. So she ask me to use other sites' people's name to, on here. Or, or some security guard's name, a security guard that's worked there before but left. Yeah.

So, you would be sent, sorry, you would compile a list of names that could be used?---Yeah.

And then that was sent to Frank?---Yep.

And then Frank gave those names to people like Emir and Daryl and himself to use on the time sheets?---Emir would ask for names too.

So they would ask you directly, would they?---Yeah, they, after they know how they works, they ask me directly.

10 And did the guards whose names are being used ever realise that their names were being used by Frank or Daryl or Emir or Ali Khan Kashif or Amyrna Huda, for example?---I don't think those, the names being used, those people the names being used, they knew that.

Right.- - - Yeah, I don't think so.

20 Now, just very quickly, if you return to page 3, just as an example, over on the left is what is a Excel generated version of the site time sheet. Was it your job to check the site time sheet to make sure that there weren't clashes? So that two guards weren't working in two different places at the same time?---Yep. They ask me to check these and ask Maggie to check too.

And if you did identify a clash, what would you do?---Lynn ask me to contact Frank or Emir about this.

And what would you tell Frank or Emir?---I just told them, there is two names, their hours are clash. Yeah.

And would you encourage them to use a different name?---I encourage them?

30 Or would you advise them to use a different name?---No, I won't.

So they might themselves realise that there's a clash and use another name on the list that you had provided to them?---Yeah, they, after several time, they knew their, the names, so they familiar with the name. They probably keep a copy maybe, and they just fill it out.

And your job was to check the time sheets, make sure that there were no clashes.- - - Yep

40 --- And if there was a clash, to notify - - -?---I would just inform them.

Okay. Now, just going back to page 12, there's a name in the middle which is highlighted in yellow. You can see it's Adrian Lokous. Does that name mean anything to you?---That probably is the name, either I didn't receive any time sheet from him or I never saw this name before.

Right.- - - Yeah.

And if we turn to page 14, this is an email from Frank to Lynn Li, the email address lynn@sigservices, on the 7th of September, 2016. However, Frank's email is addressed to you.---Oh, so you can see the time was 5.00 already, so Lynn usually left the work, left the office after 3.00 or 4.00, and then he, she asked me to look up the email. And, yeah.

So you can see in this email that Frank is just informing you - - - Yeah.

10 --- that certain guards are using other people's names.---Other people's names, yeah.

Did you receive emails like this often?---I would say some emails like this.

So you would be told that the, from time to time you would be told by the guards that they were using other people's names?---Yeah.

20 Now, I've asked you a number of questions about Emir, Frank and Daryl but based on some of the documents that you've seen, particularly the documents starting at page 7, it's clear that there were a number of other people involved claiming, weren't there?---Yeah.

So did you know some people named Mina Boutros? Does that name sound familiar?---Mina Boutros. Sorry, can you identify which line? Sorry.

Do, do you remember the name Mina Boutros?---He, she, Mina. She probably is SNP security guard. Yeah.

30 Just for the avoidance of any doubt, I think Mina is actually a man.---Oh, maybe. I don't know this name.

Okay. Well, if you look on page 8 you can see that Mina has claimed a few hours both using his own name, for which there was a total of 89 hours, and then he also claimed under the names of two other people, and he claimed 24 hours. So Mina has obviously been very busy on the face of this document.
---Yeah.

But it's unlikely that he actually performed all of that work, isn't it?---No.

40 And when you say no, do you agree that it's unlikely he performed the work?---My understanding, like before the Atif Ali, if they were required to work two consecutive job but there's some hours clashed, they were using other people's name, yeah.

But Mina is claiming here that he's worked in excess of 100 hours, approximately 110 hours.---Sorry, I couldn't find the name.

That's okay. If you go to page 8 and if you go about, reach the bottom and go a third of the way up, highlighted in orange there are two entries that say Mina Boutros, and then on the row below that is a third entry highlighted in yellow and - - -?---Oh, yeah, I see it. 89 hours.

It's actually 89 plus 24.---Yeah.

10 So would you agree that it would be very unlikely that he actually worked 110, approximately 110-plus hours in one week?---For the 89 hours I'm not sure because that was probably his normal position, but for the 24 hours under other people's name, I'm not sure which hours he worked under the 24 but - - -

But I think you - - -?---I couldn't say that he worked or not, but yeah.

I think your logic is correct, Ms Dai, that it's difficult to tell which hours were worked and it's difficult to tell which hours weren't worked.---Yeah.

20 But it does seem unlikely that someone would work 110 hours for a week. ---Oh, no.

Do you agree?---Not really, no, 12 hours - - -

Well, I'll just ask you the names of some other people in any event. Do you recall if, do you recall the name George Boutros? He would have been Mina's brother.---Yeah.

Do you recall that name?---Yeah.

30 And do you recall receiving time sheets from George Boutros?---Yeah.

Personal time sheets - - -?---Yeah.

- - - where he told you the amount of hours that he was working each week? ---Yeah.

And do you recall him using other people's names?---Yeah, I think so.

40 And what about Gol Amiri, is that a name that's familiar to you?---Gol Amiri? Gol Amiri? I, I think he's a very normal guards, but I don't think he use other people's name. I couldn't, I couldn't remember.

That's okay.---Yeah.

And I'm not trying to trick you. On, on page 8 towards the top you'll see the name Gol Mohammed Amiri and you can see that he's used the names of other people highlighted in orange on approximately five occasions and then there's also a row highlighted in yellow where he's claimed his 35

hours of work. So it appears as though he was involved as well.---Sorry, which, on page 9, is it?

On page 8.---Oh, 8. Oh, sorry. Gol Amiri. Okay. Maybe I, I remembered the wrong way. In my memory he didn't do that often.

Okay.---Yeah.

10 And if you turn to page 7 you'll also see that Aymyna Huda and also Ben Pfitzner were involved in the scheme as well.---Yeah.

Do you recall receiving, receiving time sheets, personal time sheets from them where they would claim hours for work where they used someone else's name?

---I remember Ben sent his time sheet to us, he used other people's name, but not, I mean people except Frank, Emir, Daryl, they usually use other people's name in the special event like orientation week or exam week. That's I can recall. But other time, other normal time they just do their normal job, yeah.

20

Well, just on the face of this document - - -?---Yeah.

- - - there are a number of people who are employees of SNP who were getting paid a lot of cash by SIG, weren't there?---Yeah, there, they probably pick up from the envelope, yeah.

Do you know if anyone else at the University of Sydney was being paid cash, any employees of the University of Sydney?---I only know SIG and SNP security guards, that it.

30

Do you know the names of any, do you recall the names of any or did you have any interactions - - -?---Interaction.

- - - with any, did you have any dealings with any staff at the University of Sydney who were employed by the University of Sydney?---No, no contact.

Do you have any recollection of a man named Dennis Smith?---Dennis, I don't know this person, I don't think so.

40

And what do you think Tommy was getting out of allowing people to claim these hours?---You mean why Tommy have this chance to claim these hours from - - -

Why would he allow people to do this?---Why Tommy allow this? I don't know.

Do you know if Tommy was paying anybody at the University of Sydney in cash or giving them any benefits?---The, the, the only thing I know was

Daryl and Emir. I'm not sure where they work from but I think there is SNP site manager. That's the only thing I know they, they pay from SIG that's not SIG people, yeah.

Did Daryl or Emir receive any other benefits like flights or accommodation or gift vouchers? Do you know if anyone at the University of Sydney received any flights or accommodation or gift vouchers?---No.

10 Did you ever hear Lynn Li or anyone else at SIG talk about the need to give people at the University of Sydney any benefits like flights or accommodation or gift vouchers?---No.

So to the best of your knowledge you had no idea - - - Yeah.

--- that people were receiving any benefits?---My knowledge is restrict to security guards from SIG and SNP, yeah.

20 And do you know if Tommy was making any money out of allowing people to claim hours?---Any benefits. I, I don't know. All I can see is if they're extra hours like this he only making profit out of it. I mean say SNP pay SIG 26 hour, \$26 per hour then he only make the difference between SNP pay to SIG and SIG pay to security guard, say three or four hour, three or \$4 per hour.

But that starts to become a lot of money, doesn't it, if you have people like Frank and Emir who just between – Frank, Emir and Daryl who between them have claimed approximately 500 hours of work?---Yeah.

30 So there's quite a bit of a margin there for Tommy, isn't there?---Quite a margin.

Well, if he's taking, if he's only giving the guards \$20 an hour but when SIG performs work for SNP, SNP pays them as you've said about \$26 an hour.---Yeah.

There's a difference of \$6, isn't there?---Is not exactly the six but around a few dollars there.

40 A few dollars?---Yeah, a few dollars there.

So if you were to multiply the number of people who are claiming hours under someone else's name- - - Yeah.

--- by a few dollars an hour it starts to get quite lucrative, doesn't it?---You, you can say that. I don't know about how, how big he get it. Yeah, that's - - -

But at, at its lowest, if it was only \$3 and Emir and Frank and Daryl were claiming 500 hours of work, just those three were claiming \$500, 500 hours of work, it starts to bring in a few thousand dollars for SIG for doing nothing. Would you agree?---Yeah.

10 So it seems as though one benefit that Mr Sirour received was that margin, that difference between what he was paying his guards and what he was receiving from SNP and do you think – I withdraw that. Do you recall having any discussions with anyone at SIG when you were working there about the amount of money that Tommy was making for the company by
10 letting other people charge these, work these hours?---I mean things happen like this. I, I check with Maggie or Jessie saying we, we couldn't say anything to the boss or Lynn about this not right hours, our company making this money out of these hours, but we just say is – *It's just too far to go over. Too, too much. Over the limit too much.* I mean, for, we, we just thinking it's not really right for Emir and Frank or Daryl to claim those hours. We, we just thought that way but we didn't think about Tommy because he, yeah. We didn't think that way. Yeah.

20 Okay. All right. Thank you. Commissioner, I would like to tender this folder. It's a bundle of documents shown to Ms Dai in the compulsory examination of 26 September, 2018.

THE COMMISSIONER: Thank you. That will be marked Exhibit 23.

#EXH-023 – BUNDLE DOCUMENTS SHOWN TO LIANSU DAI IN THE COMPULSORY EXAMINATION 26 SEPTEMBER 2018

30 MR BAINE: Thank you very much. Now, Ms Dai, I'd like to show you just another document.---Yeah.

Now, Ms Dai, can you just have a look at this document - - - Yeah.

--- And once you've had an opportunity to review it, explain to the Commission what this document is.---So after we clear all the individual security guards' time sheets, we apply those hours into this Excel. This Excel was have this template, *template*, template, have template that's
40 designed. Previously I, I've been taught to filling these hours into this Excel, this, this template, and multiplied their rates and, and you see this amount, AMT, that's the wages will be paid to the security guards, and for the notes it indicate the hours and relevant rates. And some of the notes says "on book". That means will be subject to tax. Yeah.

So the yellow highlighting, what does that indicate?---Sorry, I couldn't remember what the yellow one is now.

Now, on the first page there are two different shades of blue highlighting. There's some dark blue highlighting and some lighter blue highlighting. Do you recall what they indicate?---Well, I think the, the colour, some of the colour means they are in, working in the one site, the same site. Some other means, I think the other means, like, say the pink one or the, the pink, the, the pink one will be the people who working other site. What was the site name? I think we filled it, like, that time we filled the, the colour to help us to fill, like, see in the same colour, the people who work on the same site to check those hours are the same with the time sheet in, to make sure it's correct.

10 So the light orange marking, for example- - - Yeah.
--- That could be for example the University of Sydney site, whereas the purple highlighting, the light purple highlighting and the light blue highlighting are likely to be another site. Is that what you're saying?---
Yeah, the light orange one is, the people who in the light orange one are the one site but the, the blue one, maybe just some indication for that time. I, I couldn't recall what the meaning for that now.

20 Now, if you turn to page 4 of this document, you will see down the bottom in light purple highlighting a number of names.- - - Yeah.

Your name is there - - - Yeah.
--- in row 184.---Yep.

In 183, that's Lynn Li, is it?---Yep.

And then 186, Maggie. Now, who is Sophie in 187?---I never saw Sophie but I heard from Lynn that she worked there before but it was probably a long time ago.

30

And what about in 182, Lucas?---He probably is another site manager.

In row 179 and 189, the name Taymour appears. Do you know who Taymour is?---I only know he deal with Tommy but - - -

But you don't know who he is?---No, I don't know.

All right. Well, if I take you back to page 1, I'd just like to ask you about the column that's called Adjustment.---Oh, yeah.

40

So, can you explain what that column means?---Okay, for, for Daryl, that 400, that's probably the fixed payment to him. Yeah.

Okay. So, did Daryl, Emir and Frank - - - Yeah.

--- to your knowledge, receive a fixed payment each week?---For Daryl, he pick up his envelope but for Emir, I, I couldn't remember he picked

envelope or, or transferred to a bank account but for Frank, he pick up envelope. Sometimes himself sometimes brought to the Sydney University.

Why did those three gentlemen receive a fixed payment from SIG each week?---That's deal with Tommy.

Do you have any idea?---No.

10 And this fixed payment is obviously one part of two portions of money that they could get from SIG each week.- - - Yes.

The first part is the fixed payment, the second part is the number of hours that they claimed?---Yep.

So, if we look at Daryl, for example, it just provides a really simple equation in the note section, that each week he would get \$400 plus the number of hours that he worked times by \$20 an hour.---Yep.

20 And if we look at Emir, he was paid, is this correct, at a team leader rate of \$22 an hour?---Yep.

For a number of the hours?---That 194 hours, that was the hours, probably other people's, other people's name he claimed.

What's the 218.5?---218, so, sorry, can you indicate which one?

Yes, so in row 42.---42. Oh, that probably is the additional, the hours Emir claimed.

30 Okay. So can you just explain what the notes mean? Can you explain step by step what that calculation is?---For Emir?

For Emir, yes.---So, for Emir, the hours as team leader are at, at a rate of \$22 plus 218.5 hours, the hours he claimed for the week, times the, the rate \$20 per hour and plus the \$400, the payment.

40 So do you know what split of that 218 hours was at the team leader rate versus the \$20 an hour rate?---Yep. Team leader rate means he worked as a team leader. Yeah.

But of the 218 hours, is it clear on that equation how much he would get paid, how many hours he would claim for \$22 an hour in this sheet?---Yep.

And can you explain that to the Commission?---That, that hour will be the same on the column of total hours. So, so, that's, probably that's the orientation with the hours he claimed.

Right. --- Yeah.

But is it also possible that you'd have to refer to another document, similar to the one that we looked at previously to see, or, or the site time sheet, to see what hours Emir was working as a team leader?---In my recall, he never work at a team leader position.

So, he mainly just claimed \$20 an hour?---Yep.

10 But if he did work as a team leader, he would claim those hours at \$22 an hour?---Yeah. If, if no one can do the team leader position, I was just thinking in the Frank case, if, if this outside of the SNP roster, like, he is, SNP, we, we subcontracted the hours and we asked Frank to do the team leader position, that will be the hour rate, the \$22.

Right. So, for the equation in row 47 in the notes, can you just explain what that means for Frank?---Frank, so he worked at team leader, 12 hours. - - - Yep.

20 --- Times \$23 dollar per hour plus 194 hours for additional shift he claim times 21 per hour rate and is there no deposit this week. Okay, so the no deposit means he doesn't want transfer the money that week through the bank but I can't remember why at 300 for the last week, I couldn't remember why is that. Yeah.

That's okay. All right. Just one moment, Ms Dai. Ms Dai, I might ask you to just have a look at the screen behind the Commissioner for a moment. - - - Yeah.

30 And do you see that there is an equation up the very top?---Yep. Some, some of the cell have equation there, yep.

And that's the equation for Emir?---Yeah.

So for, in the document in front of you, row 42, that's the equation for the 47, sorry \$4,700.

THE COMMISSIONER: (not transcribable) I think.

40 MR BAINE: And that week, its, if you interpret that equation, do you agree that the equation is saying that for that week Frank, sorry Emir claimed no hours at the team leader rate of \$22 an hour but he claimed 218.5 hours at the normal standard rate of \$20 an hour?---Ah hmm. Is it at the beginning? I can't really see what the first - - -

It, it appears to be a zero.---Okay. Then that's right.

And then - - -?---Plus addition - - -

- - - plus G44.---Yeah.

Now, I don't have the ability to see what G44 is but I think we can assume that G44 is the adjustment column - - -?---That's, yeah.

- - - of \$400.---Yeah.

Okay. Pardon me one moment, Ms Dai.---Yes, sir.

10 Sorry, pardon me one moment, Ms Dai.---That's all right.

Now, Ms Dai, would you mind just turning to page 5 of the document in front of you.---This one?

Yes. And you'll see down the very bottom that there are three columns that deal with some totals.---Yeah.

Can you explain what this is referring to?---You mean this part?

20 Yes.---Ah, so for the, the first line will be the total payment require for all the employees' payment and the total hours (not transcribable) total amount, and for the orange one, that was the subcontractor name Bashar.

What company did Bashar work for?---That's a subcontractor for SIG working at other site.

Do you remember the name of that subcontractor?---I just know his name Bashar.

30 Okay. But you don't remember the company name?---No, sorry.

Okay.---And Adnan Saeed is the individual security guard, she invoice, no, he invoice the weekly bill for his working hours.

So as an independent contractor?---Could say that. He call it that way I think.

40 And do you recall what site that person worked at?---The site. I, I normally deal with Sydney Uni sites. I am not quite familiar with - - -

So they didn't work at the University of Sydney?---They, he didn't work there.

All right. Now, the next two PH Group one to five. What was PH Group? ---Sorry, I don't know about this but normally it was either Jessie or Maggie doing the final part of this. I only did putting the hours into the Excel and they, they do the left.

So does the name Pharaohs Group sound familiar to you?---Sorry, what was the name?

Pharaohs Group.---No. Sorry.

And when I asked you some questions before about a gentleman named Taymour, we can see that his name appears on this sheet again and you don't know who that is?---I couldn't recall, yeah.

10 Okay. So you're unable to - - -

THE COMMISSIONER: What was his first name? Was it Elmeri, was it?

MR BAINE: Taymour is his Christian name and Elredi is the surname.

THE COMMISSIONER: Elredi.

MR BAINE: But is, is your evidence, Ms Dai, that you didn't prepare this final part of this document?---I didn't prepare the final part.

20

Okay. Okay. Commissioner, I'll tender that document as well.

THE COMMISSIONER: Certainly. We'll mark that Exhibit 24.

#EXH-024 – SIG SCHEDULE OF TAX FOR THE PERIOD OF 22 AUGUST 2016 TO 28 AUGUST 2016

30 MR BAINE: Thank you. And it is a SIG schedule after tax for the week 22 August, 2016 to 28 August, 2016.

THE COMMISSIONER: Thank you, Mr Baine. Ms Gleeson, have you got any questions you want to ask?

MS GLEESON: No questions, thank you Commissioner.

40 THE COMMISSIONER: Thanks for helping us today and you're released from your summons. That means you can go. And just remember that I made a direction that you can't talk about your evidence to anyone when you leave.---I understand.

All right?---Yeah.

Thank you very much.

THE WITNESS EXCUSED

[12.42pm]

AT 12.42PM THE MATTER WAS ADJOURNED ACCORDINGLY
[12.42pm]