

GERDAPVT00620
19/10/2018

GERDA
pp 00620-00666

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 FRIDAY 19 OCTOBER, 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: Good morning. Take a seat.

MR BOUTROS: Thank you.

THE COMMISSIONER: This is a compulsory examination of George Boutros. Mr Baine, I have a copy of the summons here. The one I have has set out the scope and purpose. So I just want to know whether I need to repeat it. Did, you received a summons?

10 MR BOUTROS: I received an email from (not transcribable), yeah

THE COMMISSIONER: And the summons?

MR BOUTROS: Yeah, I think I received this one, yeah.

THE COMMISSIONER: Yes. And did you read it?

MR BOUTROS: I had a read through it, yeah.

20 THE COMMISSIONER: Okay. All right. Now, Mr Boutros, are you going to take an oath or an affirmation before you – oath?

MR BOUTROS: I, I'll, I'll swear on the Bible.

THE COMMISSIONER: Swear on the Bible. Yes, thank you very much.

<GEORGE BOUTROS, sworn

[10.37am]

THE COMMISSIONER: Now, Mr Boutros, I'm going to make some directions and I'll explain them to you as we go along and then I'm going to explain to you what your rights and obligations are before the Commission as a witness. I notice that you're unrepresented today, correct?---Yes.

MR BAINE: That is correct, Commissioner,

10

THE COMMISSIONER: All right. I direct that the following persons may be present at this compulsory examination and I do so pursuant to section 31A of the Independent Commission Against Corruption Act 1988. The persons who may be present during this compulsory examination are Commission officers, including transcription staff, and the witness, Mr Boutros. 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.

20

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.

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.

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THE COMMISSIONER: And, Mr Boutros, that means that the evidence you give here today stays here. You can't go out and tell other people what you were asked and the evidence you gave. If you breach that direction, it amounts to a very serious criminal offence. Do you understand that?---I understand, yep.

10 Okay.. Now, let me explain your rights and obligations as a witness before the Commission. As a witness you must answer all questions truthfully and you must produce any item that I direct you to produce during the course of your evidence. Now, you can object to answering a question or producing an item. The effect of that objection is that although you must still answer the question or produce the item, your answer or the item produced can't be used against you in any civil or criminal proceedings. So what you say here, if you admit to wrongdoing, for example, it can't be used against you in any civil or criminal proceedings if you object, but I can save you from objecting as we go along to every question before you give the answer by making a declaration that all the answers you give will be protected in the way that I've described.---Okay.

20

Now, would you like me to make such a declaration? I think I should because you're unrepresented and it gives you the protection - - -?---Yeah, yeah.

Yes, okay.---Yeah, yeah.

I'll do that in a second.---Thank you.

30 Pursuant to section 38 of the Independent Commission Against Corruption Act, 1988, I declare that all answers given by this witness and all documents and things produced by him during the course of his 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, 1988, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY HIM DURING THE COURSE OF HIS 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: Now, I stress to you that there's one exception to what I've said and that is your evidence can be used against you if you are prosecuted for an offence under the ICAC Act, and that means most importantly an offence of giving false or misleading evidence. If you give false or misleading evidence, the protection that I've just given you will not apply and you will have committed a very serious criminal offence, where the penalty is imprisonment for up to five years. Do you understand that?

10 ---I understand, yep.

So it's critical that you, if you want this protection that I've given you, that you tell us the truth.---Yes.

And can I say this, Mr Boutros, you've been required to attend to give evidence today because the Commission considers it likely, indeed in your case very likely, that you can provide it with assistance in its investigation into university security services and the use of false time sheets to obtain payments. Now, I raise those matters in fairness to you. It's really not in your interests to give untruthful evidence because it's likely that you'll be caught out if you do so, and if you're caught out giving untruthful evidence the consequences to you can be very serious, as I've explained.---Yep.

20

So, I suggest that you, for your own sake, cooperate fully and answer each question truthfully, and if you do so you will have the protection that I explained to you a moment ago. Do you understand that?---I do understand, yeah.

All right. I think that's it, Mr Baine, isn't it?

30

MR BAINE: Thank you, Commissioner.

THE COMMISSIONER: You proceed.

MR BAINE: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MR BAINÉ: Thank you very much. Now, would you please state your name?---Yeah, do I stand up or - - -

No, please, stay seated.---Yeah, all right. Yeah, George Boutros (not transcribable) Boutros.

10 And, Mr Boutros, if it's more convenient, you can adjust the microphone so that it faces you more directly so that you can remain more comfortable in your seat.---Okay.

And your date of birth?---The [REDACTED]

And your residential address?---It's new address because I changed the previous address. It's number [REDACTED].

20 In [REDACTED] ?--- [REDACTED].

Thank you. Now, do you have an email address?---Yes.

And what's that?---It's [REDACTED] and I have another one for the university but it's not, no longer working. It's George, like my name, george.boutros@sydney.edu.au.

And why does it no longer work?---Because I left the job so they cancelled the card and they cancelled the, the email.

30 Right. I might ask you about that in a moment. Do you have a mobile telephone?
---Yes.

And what's that number?--- [REDACTED]

And is that the only mobile telephone number that you have?---This the only one I have, yeah.

40 And have you - - -?---Yeah, but this, okay, I have another one but it's for my wife but it's under my name. Like, she's using it.

Unless - - -?---But I never use it.

That's okay. What's that number?---Its 0-4, let me check the number, sorry.

Sure.---I bought it for her when she came from overseas. It's [REDACTED] [REDACTED] It's under my name but I, I don't use it.

All right. Thank you, Mr Boutros. Now, what is your occupation?---At the university?

Just generally.---Security.

And where are you currently employed?---I left the university, like, a month ago or, like, six weeks ago maybe. Yeah, and I work next door here in 201 Elizabeth Street, security.

10 And for what company do you work for?---Egroup.

Egroup?---But subcontracted to Egroup, same thing.

You're a subcontractor to Egroup?---Yes.

Okay. And, but your employee, sorry your employer is Egroup?---The main company is Egroup but I work under the subcontractor.

20 Okay. Because when I have the interview, I read the ad on the internet, I apply with Egroup to work direct but same story again, they goes to me, look, we have available job but you can't work direct with us. If you want to work, if you want to work, you have to work under our subcontractor.

And who's the subcontractor?---His name Michael.

Michael?---Maybe his real name is something else but that's his name, Mike.

30 And do you know what his company is called?---It's called, I can't remember but I have his email and all his details but I can't remember what's the company.

Okay. All right. Well, I might ask you a number of questions about your time at the University of Sydney.---Yes.

So when you were at the University of Sydney, who were you employed with?---SIG.

40 SIG?---Yes.

And was there ever any occasion where you were employed by SNP?---Yes.

When was that?---That was 23rd of April this year.

Until the time that you left?---Until I left there, yeah.

All right. And when you were working with SIG, approximately when did you start at the university?---July 2012, around.

And what was your position at that time?---At the, this time was patrol officer.

And did you ever have any promotions during your time at the university?
---Oh, yeah.

10 And what were they?---From patrol officer, I moved to control room operator and then I was covering the team leader and I was covering other locations in Camden. I did some shifts in Camden and a couple of shifts in Cumberland but between, like, team leader and CMS operator after. Like, I was patrol officer at the beginning and then to the CMS operator.

And can you recall - - -?---And then second CMS operator which is CCTV monitoring.

20 All right. And can you recall when you became a control room operator?
---Okay, roughly maybe, like, look, to be honest I can't remember but maybe, like, eight month after I start in there at the university I became CMS operator. I was swapping with, I remember there was Natalie, we used to take turns, I do sometimes CMS operator and she do CMS operator until she left the job and then I was the permanently, like, CMS operator after.

And what about your promotion to acting team leader? When did that occur?---Look, to be honest, I can't remember but maybe two years ago, three years ago. I, I can't remember.

30 And when you started working for SNP directly, from April 2018 - - - Yes.

--- did your position change?---Okay, sorry, I have to, like, correct something. Okay, I was doing CMS operator and team leader until I come back from overseas in October 2016. I went overseas for, like, five or four month and then came back to Australia for two month and then stayed again overseas for five month and came back, like, completely in October 2016. In 2016, I worked as a CMS operator and covering team leader until maybe January or February 2017, and then after that I swapped shift with Ashlee Parker, I took the job of second CMS operator to match my, like, because my wife was new in Australia, so I have to do only days, I don't have to do
40 nights and days, two days, two days, two days, two nights, I mean. So, I started maybe in February 2017 to do second CMS operator, which is only taking care of cameras and footages and thefts and all this stuff.

Okay.---But during this time, sorry for cutting you, but during this time, I will do as I told, you know? If he told me, like, okay, we need you to do, like, tonight team leader I will do it. You do CMS operator because you have, George, because I been, like, the longest in the place, so I can do whatever I been told to do.

So you can do everything?---Yes.

And when you were employed by SNP though - - - Yes.

--- did you become a full-time team leader or what was your role?---Okay, my role was second CMS operator and weekends or sometimes if, as I said, somebody pulled off, no, not full-time team leader. I used to cover, like, every week maybe two or three shifts team leader.

10

All right. Now, Mr Boutros, do you have a family member who also worked at the University of Sydney?---Yes, my brother Mina.

All right, thank you. Now, I'd like to ask you some questions about time sheets at the University of Sydney.---Yes.

Did you submit time sheets to SIG where you claimed extra shifts?---Where I claim extra shifts?

20

Yes.---Okay, it's not like claimed, claimed. I'll explain to you what used to happen. Okay, for example, I'm doing team leader, team leader job. I get the call from SIG, the guard who supposed to be, have some other, okay, if I'm going team leader, there is some other jobs, like, 10, 20 guards. For example, we have a library, what's called, sorry - - -

THE COMMISSIONER: Fisher.---We have, like, five, six libraries in the place, okay? One of them they require the guard to come, he still get paid the four hours but he come for, like, 10, 15 minutes to assist the library, like, librarian to close the library and make sure that everyone left the library. Started this way, I had the call from SIG, from the office, Lynn, is telling me, "Look, George, the guard's not coming," and it was already, like, 10, 15 minutes. "Can you do anything?" So what you have to do is you have to send someone, you know what I mean? She goes to me, "All right, now you don't have no one to send and it's already, like, almost, like, 15 minutes or 10 minutes and library should be closed. Do it and sign for the guard and the you will get paid for it." It was weird for me, it was strange, you know what I mean? But I said, no, we can't do this stuff, but anyway ended up, I signed and I think she paid the guard and the guard pay me. I don't know what happened but still, it's - - -

40

MR BAINE: So, can you confirm if this was the position, Mr Boutros. There would be occasions where you would be working your normal 12-hour shift for SIG and you would then receive a call from someone at SIG who would ask you to go and perform a task like unlocking or locking a building and you would go and do that, and even though it might take only 15 minutes for you to perform that work, you were paid for all four hours of that work? Is that correct?---It's happened a few times, not, not like, okay,

not on a daily basis but it's happened maybe, like, you know what I mean, like, twice a month, like, a couple of times a month.

And on those occasions where you received those requests for that extra work, you would be paid both for your 12-hour shift and then additionally you would be paid for the four hours of work, even though it might have only taken 15 minutes, is that correct?---Well, okay, it's happened but not the four hours I've done. Like, okay, it's happened, like, a couple of times, you get the thing and then after that you get the calls, okay, it used to come from, okay, the calls used to come not only from SIG, you know what I mean? Like, people from SNP, like Emir for example, if during the day, you know what I mean, he send you and he ask you to do the task but you didn't get the four hours, you get only, like, two hours or something.

So who would get the other - - -?---Yeah, but you do the - - -

- - - two hours?---Him.

He would take the other two hours?---Yeah.

20

Right, okay. But I suppose what I'm also trying to find out from you is whether or not you would claim, first of all, your 12-hour shift but then additional work on top of that?---Yes, yes.

Okay. And when you would claim that additional work - - - Yes.

--- that would be for work that you performed while on and during your 12-hour shift?---During the, the 12 hours, yes.

30 Okay. - - - But one more thing, sorry, I'm not defending myself, but you don't have any choice. You know what I mean? Sorry to say it. Like, when I do this stuff, you guys have to understand that I have totally no choice to refuse, you know? First of all, I'm not working direct with SNP, I'm working with a subcontractor for SNP, no rights. I'm working full-time, I'm working full-time with him, the 38 hours. He refuse even, like, I was begging him to give me, like, the 40 hours, have my holidays and all stuff because I have a family. No, you have only the 38 hours, and that's it. I get extra hours, get paid the extra hours but I still, the 38 hours, no sick leave, no annual leave, nothing at all. You just work, I don't know what they call it, maybe, like, full-time casual, I don't know what you call it, do you, I sign the paperwork, I submit all the paper, the whole thing but this how it is. If I say no, I'm not going to do it, look, I'm not with a union anyway. He would fire me, I would get sacked, I will be sitting at home jobless. You know what I mean?

40

THE COMMISSIONER: Is that why you say you had no choice?---Yeah. This, this how I say, and also, sorry, sir, but I have to say it, you understand from these people, they linked together. Okay, like, they all together, like,

SNP was SIG. You can't even complain because who I'm going to complain to? If I go to approach, for example, Daryl McCreadie, Daryl McCreadie, like, was working with SIG, he's with SNP but getting money from SIG, you know what I mean? I was told this by Tommy himself, from SIG? He told me, like, can, can I continue or - - -

Yes, please do.

10 MR BAINE: Please.---Yeah. Yeah, he was telling me that he get paid, like, he pay, like, people don't play around with him. So he is my direct manager and Emir was direct manager, like, I think site manager, and Daryl, I don't know what his position but he's higher than Emir. If I approached him, straight away Tommy would get the call if I went to complain, so I can't complain. You know, I am kind of like slave. Work for these people, no rights. Can't say no. If I say no, I will get the call straight away, "No, George, you no longer required," and nobody can protect me. I have no union to stand behind me to support me, to get my rights, you know what I mean? So, I have to follow the rules to survive, to make my money, to
20 make my salary, to, to live. This is what happen. You know, there's your story for the, about this kind of examination to tell you what's the reason. For me at the beginning, I don't want any of these things. I don't want any money off them, you know, I need to do my work, go home, do the extra shifts. Yes, that's fine if I have extra shifts, I can work seven days. I can work like 24 hours, I have no problem with that, you know what I mean, get my money and that's it. But if I get the call, oh, please, oh, we, we have no time, we're calling, like, it is like, a hundred guards working at the university, somebody called sick, somebody called he can't come, especially people work direct with SNP, they can call sick, like, half an hour or one hour before the, they start the shift. So, reflect on me, I have to do all
30 the things on my own, you know what I mean, if I say no, I can't say no.

THE COMMISSIONER: You just said – just a couple of questions.---Yes. Yes, sir.

You said you were told what the rules were. Who told you what the rules were?---What the rules, sorry?

40 Yes, you said a moment ago that you were told what the rules were, and I assume you're talking about rules in terms of filling out time sheets and the like - - -?---No, no, no, no. I don't mean this one, sorry. I didn't mean this one.

You go.---I meant, like, okay, if I approach, for example, okay, I can't approach the clients because it's different. I have, I have to approach either my company or I have to approach SNP, who is the main company. But if I already know, like, I've, I've been told and I've tried myself, like, okay, if I know that already, these people are corrupted, taking money from Tommy payroll every week, he told me he gave this one \$300, he give the other one,

like, \$400. You know what I mean? So, if I already know that this one is corrupted and taking money, what is the point of going complaining to him? And it's happened to some other guards, they were working in the place, they approach Daryl, for example, complaining, they approach him to complain about what was going on, straight away they not coming to work. Like, I can give you names as well. There is a guy called Qa'qour or something, Mohammad Qa'qour, this guy approach him and what happened to him the day after? Stopped coming to work. Who is going to protect him? Who, who is, like, there is no union, no nothing. You know, I just work to subcontractor. So, this, this what happens. I can't even approach him.

I understand.

MR BAINE: Mr Boutros, you've mentioned that there were some people who Tommy was paying money to. ---- Yeah.

Who were those people?---I heard, look, I didn't see myself, but look, it's kind of Tommy, he was telling people, okay, not, like, to scare us maybe, like, okay, like for example, whether this truth or not but I'm pretty sure this is, like, 70 per cent true what he was telling me. For example, he tried to, like, to scare us. He was telling us, trying to tell us, like, all these people for SNP in my pocket, you know what I mean? He was telling me, "I have a camera in the office," and I think when you guys raided his office maybe you find anything in the computer, I don't know, but anyway, he goes to me like, "I have a camera in the office and I having these footages for people coming to the office to get paid," which is nothing to do, like, for me when I go to get paid from him in the office, I work direct with him, but people from SNP going there, he mentioned to me, like, Daryl McCreadie was going to his office and he have a footage for him so he can do, like, he was telling me, like, this direct, "Daryl McCreadie can do nothing to me because I have," like, he can blackmail him. Like, he, he have a footage of him taking the envelope in the, sorry, taking the envelope in the office. You know what I mean? So, this what he was telling me. So, basically I don't know if he's trying to scare me not to approach Daryl. But I tested myself in, in April, end of April, okay, I was having enough from this place. The thing is, I approach the client before, before my wife come from overseas, I go see him, I approach Dennis Smith, I go see Dennis, "Please, is there any chance you can, like, hook me up direct with SNP, so I can have my, like, sick leave if the baby is sick or something, I can, or my wife, like, my wife sick or something, I can take care of her," especially when she pregnant. He goes to me, "Okay, I will speak to Daryl McCreadie." That was maybe in February. We're talking about February of 2017 and he's the client, you know, client can accept, like, can ask anything, he can get, you know what I mean? And he approached Daryl and goes to me, "Speak to Daryl. I already spoke to him." Every time I speak to Daryl, it's Daryl, how it goes. Like, it will only, like, take, like, five minutes to fill the form and make me work direct with the company so I can get, like, the penalty rate, I can work

and get accordingly, not to work as a team leader and getting paid half what the patrol officer taking, you know what I mean? It was, okay, tomorrow, next week, tomorrow, next week. You know what I mean, until March or early April, early April this year, I spoke to him, I approached him in the car park, I still remember (not transcribable) car park. I spoke to, I go see Daryl, "What's going on?" Like, "I spoke to you, like, one year ago to hook me up with SNP. It only take, like, five minutes and you are the", what do you call it, "account manager. Like, you the one who accepts people to work direct or not." Like, I'm going team leader, CMS operator, I'm doing everything in that place, I'm being the longest in the place, I been, like, six years or five years, what's wrong with it? Directly he goes to me, "Look, you know how Tommy whinging", like, SIG, like, Tommy from SIG whinging. "If I take you to work direct with me, he will start whinging and crying." I don't understand what this has to do with Tommy. I'm working direct with the company. He is a subcontractor for the company. So that's proof for me, or make me sure, like, made me sure that this guy would, like, they have something together. They stopping me from working for the company for almost a year and then that's it because if, if Tommy agree, like, well Tommy had nothing to do with SNP, Tommy is not controlling SNP. "Listen, if Tommy agree in this case, I will, I will, I will take you," and he smiled at me, you know what I mean? So that's make me believe that these guys all linked together. And the thing is, sometimes you tell something to Emir and you find Tommy calling you back, like, together.

Mr Boutros, do you recall the conversation that you had with Dennis Smith?---Look, I can't remember exactly but I remember I approached him because he normally used to come 6 o'clock in the morning, very early and I was early this day, because when you do team leader you come early. I approached him and I, I, I told him, look, like, it's different situation now. Before when I was single I can do anything. Like, I, it doesn't matter, it doesn't matter any shifts or anywhere, even if I get sacked, I can go, like, search for job again but now I have another person with me, so I need to settle and, and work with her. And he goes to me, "I will speak to Daryl about it." I can't remember the full conversation but I remember this is, like, basically what the conversation between us. He goes to me, "I will speak to Daryl and (not transcribable)" And then after four month, I approach him again to remind him. "Okay, Dennis, nothing happened. You already told me that you spoke to Daryl McCreadie and nothing, nothing changed." "Listen, I will, I will, I will speak to him again."

But do you remember what you told Dennis Smith? Do you remember what you complained to him about?---No, look, I complain to him about that I want to work direct and who can I speak to, not complain, I just approach him as a request if he can approach Daryl because I know if I approach Daryl, he won't do nothing because I am nothing to him but Dennis Smith is a client. So when I approach the client and the client talk to him it's better that to approach him myself, you know what I mean?

So, did - - -?---I can't remember – sorry.

Did you raise with Mr Smith any of the issues that you've just told the Commissioner, including the bad working conditions?---To Dennis?

10 Yes.---I can't speak to Dennis about this stuff, I can't. And look, to be honest, I don't know what's, look, to be honest with, I work in this place, the place was okay for me until (not transcribable) I came back from overseas and find everything totally changed and I saw how, like, they were, like, connected together. I'm not talking about Dennis because I've got nothing to do with Dennis, but I'm telling you what, what happened since I came from, in October 2016, even when I took the job, okay, I'll explain to you my job. When I took the second CMS job, that was like a package, okay. This package is unlocking in the morning and second CMS start at 9 o'clock. But when I took the job, I find already people, like, signing under different name. Okay, so if you check my sign-in sheet, you will find me signing in the morning under, like, I think Rob, Rob Basselly, and starting at 9 o'clock, ask them why, like, why, why, like, for me. The job only taking, like, 15 minutes and I can come 5 o'clock, look, okay, the job is four hours, 20 starred from 6.00 until 10.00 and the other job, which is second CMS, start from 9.00 until, for eight hours, 9.00 to 5.00, okay, so there is, like, one hour in between. Job doesn't take more than 15 minutes to be honest. So, I will say, "Look, the job is taking only 15 minutes, why I have to sign under some else name? I'm supposed to sign under my, my own name." But it was basically a package for the previous one what happened was working before me, like the previous guard who was working, he was signing under Rob in the morning so to avoid the, the other thing, can you speak to, like, SNP to change even the timing, I can start at 5 o'clock until 9.00 and then from 9.00 until, like, 5.00pm, which is the 12-hour shift, and at the same 30 time I don't have to use different name, it's pointless because I do the job anyway. I attend, I do the job. They said, no, that's how it is, it's from 5.00, sorry, from 6.00 to 9.00 and then, from 6.00 to 10.00 and then you start at 9.00 until 5.00, sorry. I'm talking too fast.

THE COMMISSIONER: No, you keep going.---So, I accept the package, you know what I mean? That was, like, the package and I'm not the one who invented, I'm the one who took over the job how it is. It's, it's, yeah.

40 MR BAINE: Did you ask anyone why you were using someone else's name?---I ask the previous guard, I ask the previous guard who was doing the job before me and she told me, "George, because we supposed to finish at 10.00 and then you start the second CMS at 9 o'clock, so if you use your own, it doesn't work this way because there is, like, one hour overlapping. So, this is the reason you have to sign under different name." So in this case, so, like, I'm doing the job but you have to do this different name, so in this case, it's okay but it was easy for them if SNP changed the timing and make it start at, make exception, start at 5 o'clock in the morning, 5.00 until 9.00 and, and I used to go early anyway. 5.00 to 9.00 and then 9.00 to 5.00,

which is a 12-hour shift. But no, so I, I ask the guards before me, the one who was doing the job and this what she told me.

THE COMMISSIONER: What was her name?---Ashlee.

Ashlee. Do you know her second name, her surname?---Parker.

Thank you.

10 MR BAINE: So, Mr Boutros - - - Yes.

--- is it that even though you were an employee of SIG you would use another person's name on the time sheet because there might have been clashes with the standard 12 hours that you were working and these other tasks that might have fallen during that 12-hour window?---Okay, that unlocking in the morning, it start about 6.00-ish in the morning and you have to unlock only three buildings, but the reason we have, like, four or five guards in the morning for the unlocking because you have to get all these buildings done at the same time. This job could be done by only one
20 guard, but the thing is he's not fast enough to run between place to place and to open all the buildings at the same time, so they hiring these people, and because the minimum pay is four hours, the minimum pay is four hours, so they hire these people, we using our own cars, we using our own everything, you know what I mean? So basically the explanation was, as well, like, okay, we'll leave this hour early because we use our own petrol, cars, everything to drive around the campus to unlock the buildings. But the job is done completely at 6.30 in the morning and I have to wait in my car until I start my, my other job.

30 And how long would it take you to unlock three buildings and drive around?---The three building? Oh, you can say, like, walking or driving? Driving, walking you can't because there is one of the buildings is to unlock, it's in, next to Parramatta Road because you know, the campus is not only this Darlington and Camperdown, there is some campuses off-site. So, this one used to be, like, medical foundation building, it's across the road from Parramatta Road. So, if I've tried to walk, it's, like, one and half kilometres or two kilometres distance. By the time I will reach the building walking, it will take 20 minutes or more. So I used to drive my own car, and even I spoke to them about this point, "Why don't you get the cars for
40 us, insured under the university, in case if I, like, something God forbidding happen and I hit someone or, like, hit another car, it's covered?" They said, "No, that's how it is." So all the, the unlocking guards, used to drive their own cars within the campus under our own responsibilities, but I can't go do these buildings, it's, with a car, sorry, it's answering your question, with a car, took all together 20 minutes. 20 minutes to half an hour. If - - -

And if you were on foot?---If I'm on foot it will, the thing is, you have a limited time to open the building, do you know what I mean? So by the

time I will unlock the first two buildings, they next to each other but to walk to the other building you will already, like, exceed the time which is supposed to it. Do you know what I mean? Like, it's supposed to be open, for example, at 6.50 to let the, like, people come for the delivery and all this stuff. So by the time I finish the first two buildings and walk, I might exceed this time. So I have, I have to drive my car.

So, if you were working, for example, a standard patrol shift - - - Yes.

10 --- would that start at 6.00am and would it finish at 6.00pm?---They have, okay, over the years they change. At the beginning, it used to be from 6.00 to 6.00 and 6.00 to 6.00. Okay, but after that, they changed the, the timing, they said team leader and CMS operator come half an hour early, 5.30 to 5.30, to take the handover while you have the previous guards, and then the, the team members, which is the patrol officers or the rovers, they come at 6.00 to 6.00. Yeah.

Right. So, if you were doing a 6.00 to 6.00 job - - - Yes.

20 --- at the same time you could also be doing an unlocking shift at 6.00am, is that correct?---No. It's happened, okay, okay, no, no, sorry. Maybe it happened once or twice because I was coming already from unlocking, like, already coming from unlocking. While I'm driving, the guard didn't come, like, I mean the team leader didn't come, so they send me, tell me, "George, sorry, we have to take you from this thing," but I already finishing my job. And they said get to 9 o'clock to get another person to do my, my second CMS, which is the CCTV. So they have no other option. So after I do the unlocking, for example, they keep waiting, waiting, waiting and the
30 previous team leader has to wait to give the handover to the other team leader, to, to the coming team leader. So what happened, it happened, you know, because, I said I will tell you the truth, so it's happened, like, maybe a couple of times, it, it happened, you know what I mean? But I already done my job and after I done my job I get the call, "Sorry, George, like, there is no team leader and you the one who trained team leader, CMS work and everything. We need you to go as a team leader." Okay, so I finish already my job, half an hour, take me 20 minutes and then do the team leader, start the team leader job, yes.

40 Which you would then carry on doing until, for example, 6.00pm that evening, is that correct?---Yes.

All right. And if you were doing a CMS shift, a second CMS shift - - -?---Second CMS, yeah.

How long would that take? How many hours would that take?---Eight hours.

And why was it an eight-hour shift, do you know?---Look, the University, because it's created this job, like, recently, as other jobs for the university, the university. Before SNP was only doing team leader, CMS, first CMS operator and the three patrol officers, okay, plus Camden and Cumberland but recently SNP got extended the contract and they have the lock-up, unlocking, like, the unlocking, the, the one I told you that I used to do in the morning once I came from overseas. The unlocking and the lock-up at night-time and the library 24/7. I mean, not 24, like, they had in the library as well.

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All right. Well, you will recall that I asked you a question a moment ago about whether you knew anyone from SNP was receiving any benefits from SIG, and you said you thought you were 70 per cent sure that Mr Daryl McCreddie was receiving some benefits.---That's what, that's what I was told and I, look, I explained, like, I, I, I experienced it myself when I been chasing him for one year, which is only take, like, one signature on the paper, get him specially, I been the, like, the longest in this place, most experience, and I been doing everything, like, as has to be in this place and it's, it's, like, making delay every time. The reason is he is making delay, okay, there's, like, a deal between SNP and SIG for certain hours. For example, SNP, they have their own guards, they have to do, for example, we can say I'm just giving, like, example number, okay, they have to do, like, you can say 50 hours and SIG they has to do 30 hours. Okay, what happened, you find SIG getting more than the, the, the certain hour they supposed to get. For example, if a guard left from SNP, SIG puts another guard. So SIG making more benefit, you know what I mean? And SNP, like, covering, okay, nothing, consider nothing happened. So, you can say, like, recently, or I mean lately, SIG, if you supposed to do, like, 50 hours and SIG 30, like, SNP 50 and SIG 30, you see the opposite. Like, less SNP and more SIG. But (not transcribable) you keep asking him, like, even, I told, I told Daryl, because he told me Ashlee is leaving, and "George, you know how it is, you know how Tommy is whinging and crying over the hours." I told him, "You have already three guards from SNP direct, they already left." So, we have 30, like, I mean, like, daily 36 hours. It's not going to be a big deal if you hook me up with one of the 12 hours. Like, they have three 12 hours. And then he goes to me, "You know how he is whinging. We're waiting for Ashlee Parker to leave." Because she is, she was going leave the job and working somewhere else. He goes to me, it's not a big, like, we'll wait for Ashlee to leave. Ashlee left in October or November 2017, and I kept chasing him, I go to him, "Ashlee left, Ashlee left. When you going to put me there?" Like, I have, look, sorry (not transcribable) interrupting you, but what pisses me off more, I was in, in the hospital with my wife, she was, like, giving birth for the baby, okay,

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On the other hand, I don't get any benefits, I don't get any, like, I mean, like, you don't get paid, like, for sick leave or family care

or whatever they call it. I didn't get nothing, okay. Baby was in the NICU, my wife was in intensive care and after, like, three days or four days, and instead of getting a call say, "How is your family doing?" or "How is your wife doing?" I just get the call from, like, team leaders, "Hey, when are you coming back? Because the client is upset because whoever covering you is doing shit job. We need you to come back to the job." I was pissed off, you know what I mean?

10 Who, who called?---And I think, I think this time, I find the message coming from the team leader phone and then I responded back, I said, "Well, I'm very disappointed. I thought you guys going to ask about my family and my wife, especially when she is in intensive care, my baby in the NICU." I'm being, like, distracted, my brain, my mind is completely gone, and they goes to me, oh, sorry, I'm not trying, like, I called them after to give it to them and then I find it was Frank, he called me and said, "George, sorry, it's not, it's not me but the client is asking me about you because whoever is covering you is not doing the job, so we need you to come back." I said, "Well, I, I don't care. Leaving, like, I'm, I'm not working for you anymore," you know what I mean? If I can leave the job, I can leave
20 the job. I have to take care of my family, you know what I mean? That was one of the things that make me, like, pushing hard to go join a company to work direct with them, so I can, if something like this happen again, I have to, like, be, be with my family. Do you know what I mean? So, that's what happened. It's one of the reasons I was, like, persisting and keep pushing Daryl, I go to him, "Ashlee left." My wife give birth on [REDACTED] yeah right, so after this I was pushing him, "Daryl (not transcribable) when you going to, like, put me direct with the company?" He invented this thing for Ashlee to leave, and Ashlee left and Ashlee left in October or
30 November, and from November until April the year after, when all these things happen, you know, like, when you guys came and you raided the place, the, the company which is SNP decided to take all the guards to make them direct with them. Other than that, you wouldn't hook anyone to work with them and they started to do the same with all the other sites, is what I heard. You know what I mean? So, yeah, Daryl was taking benefits, yeah.

And are your wife and your child okay?---They okay. We stayed, like, three months, even when I came back to work, you know it's, like, inhumane, you know what I mean? You find, the manager said, "You're not allowed to take your phone with you in the control room." Well, it's not the CIA, just a
40 control room for university, you know what I mean? They said, "No, you're not allowed to take the phone with you." For three months, because the doctor give me a time frame of three months, this thing have no medication [REDACTED]. It's okay, when it come to you, you have, like, kind of a session where you have, like, a fully paralysed. You conscious, you can feel everything around you, but you lose control. So, since, like, I'm the only one, like, living the house with my wife and the baby, I have no family here, only my brother, but he, he have his own kids, you know what I mean? He's not going to be babysitting my wife. So, I was worried. I go to

him, "I have to take my phone with me." They refuse at the beginning but I have a permission from Dennis Smith. See how cruel they are? I have a permission to take my phone with me. I even installed a camera in house in case if something happened, imagine she's breastfeeding the baby and she have this session and the baby will drop off or something and nobody help you, you know what I mean? I got the permission from Dennis. Thank God they get permission from Dennis to keep the, the phone in the control room. So, that was one of the reasons I was, like, look, it's, it's not secure job. You doing, imagine you doing everything in a place, you been the longest in the place and for some reason, SNP doesn't want to take you to work, not SNP direct, I mean like, the managers from SNP for some reason, because they want to keep the hours for Tommy, the more hours than SNP getting, which is, okay, fine and this what he was doing. This what, like, what's his name, Daryl is doing. You can't take any hours, you can't take leave, you can't, if you want to take the day off, you, you don't get paid. You know what I mean? That's, that's it, sorry, I always, like, talking too much.

It's okay. So did you have a close relationship with Dennis Smith?---Look, like, the guy gentleman to me. Like, if my wife get sick and she called me, like, sometimes she have, like, because, before this sessions, like, I mean, like, episodes happen to her, she feel like the first time, she feel dizziness or something. If I approach him, I say, "Dennis, mate, I have to go," like, this is why he goes to me, "Yeah, family first. Just go." So, this, this the relation with him, not, like, like, I go visit him, he visit me or this type but it's like a work relationship, yes, I respect the guy, he was, like, yeah, when, when my wife was sick, he took care, he took good care of me. You know, I mean, even, look, even if he didn't give me days off, pay or something, he didn't give me any of this, but at least he was asking, you know what I mean? When I come to work, he said, "How is family?" Yeah, "Your mother-in-law came or not?" You know, he was talking, like, like, he remember what's going on with me which is enough for me, you know what I mean?

So, do you think that he knew that Daryl was receiving benefits from Tommy?---Well, sorry, I can, I, I don't know about this.

No, I'm asking your opinion.---No, yeah, my opinion because, look, I have, look to be honest, about this point, I don't know because with Dennis Smith, worked, like, with him for, like, almost over the five years, six years. No, I haven't seen anything looks, like, dodgy or, like, shonky between them. Like, what I saw, like, the guy was straight forward. Could be, but I haven't seen nothing.

And when you, when I asked you before - - - Yes.

--- that you were aware that Daryl was receiving benefits from Tommy - - - Yes.

--- do you know if anyone else at the University of Sydney was receiving benefits from Tommy?---Oh, yeah. Tommy was telling everyone, not only me, Tommy was telling everyone, he was telling, he was telling me that he is paying Daryl weekly pays, like, \$300. This what he told me and he is paying Emir, I think same amount, three or \$400. He is paying Frank recently to cover once he took over the, the roster, which is completely wrong because the roster should be with the main company. Like, the, like, SNP is the one who should give us the shifts, not the subcontractor because now, you saw that after the subcontractor, subcontractor can do whatever and I can't object. So, in any other workplace, like, now I am working with Egroup, okay, I am getting the roster, I can show you the emails, I'm getting the roster from Egroup. So, now the subcontractor is the only way to pay you your wages. It can't plan anything, but to give the, the roster, you know what I mean, to the subcontractor was meaning that I have no say, I can't say nothing. It is the biggest mistake. So, he was paying Emir, just getting back to the first question, he was paying Daryl – this is what he told me – \$300, Emir \$400, and Frank for doing the roster, he was paying him I think four, I think \$400.

20 And as far as you're aware - - - Yes.

--- the only benefits that Tommy was paying were cash, a couple of hundred dollars a week, is that correct?---For these people?

Yes.---This what I'm aware of. Look, this what he was telling, like, he spoke - - -

I understand.---He told me,

30 I understand.---But what other things was, was going - - -

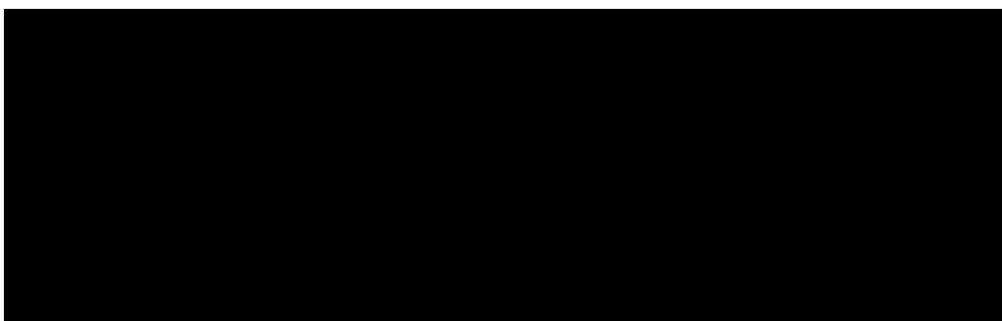
Do you know if any other benefits were received by those people? Do you know if they received anything more than cash?---Well look, all right, I will be honest with you, they went for holidays, you know what I mean, together, which is weird to me. Look, they both straight, you know what I mean? Like, if they, like, homosexual or something, they can go together then that's, that's fine. They went for, like, a, sorry, they went for holidays together and paid, you know, I mean they get paid from SNP. You know, I think you guys, it's easy, you can check this stuff. So, these people were signing in, coming to work, no, I mean like, went for a holiday and they get paid from SNP at the same time.

40 THE COMMISSIONER: Who, who went for a holiday together?---Emir and Daryl. You know, whether this paid, the holiday was paid from Tommy or they paid themselves, I don't know, but it was strange for me and other people in the workplace, you know what I mean, to see these people going for a holiday together, publishing the photos on Facebook, you know what I mean? And, and still at the same time, because one time I got a call,

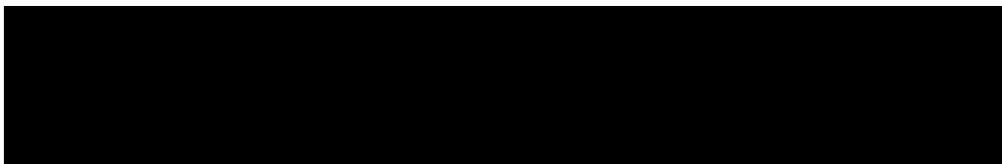
somebody was asking about Emir. I was in the control room, I said, "He's on holiday," because nobody told me nothing, you know what I mean? I saw him in the Facebook on holidays somewhere and then I think Frank told me, "George, Emir didn't take holiday. Emir, like, is supposed to be here." So, I understood that the, the guy went for a holiday but he still getting benefits, like, getting his salary from SNP. Maybe the holiday was paid from Tommy and the salary still ongoing. I don't know, they went for a few holidays together, you know what I mean?

10 You said a moment ago that you were told by Tommy that he was paying Daryl and Emir and Frank. Did he tell you that he was paying anybody else?---Well, I, look, once, look, the thing is with Tommy, he's a kind of, when he gets angry, he start talking, he say everything, you know what I mean? To repeat again, whether this stuff is true or not but I'm just telling -
- -

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Thank you.---Yes.

MR BAINE: You're mentioned a couple of times video recordings that Tommy alleges to have.---Yes.

40 Has he told you about some of the video recordings or some of the material that he has that he would use to blackmail people?---No, but he was, okay, he told me, actually he have a camera in his office. Okay, so apparently when Daryl used to go, like, get the payroll or the salary or the wages, he used to film him, like, come in, like save these footages in case for the future, if they gonna kick him out from the university, so he can use it, you know what I mean? Like, he can have evidence on people so he can, like, do, do you know what I mean?

So you understand that Tommy collects evidence on people that he could leverage against them at a later time?---Yeah, he could, he told, look, he

didn't tell me he is going to use it, but basically what you said, footage is, like, like, he don't have to say everything but he have to, you can read it, you know what I mean? Like, why he have to collect this evidence? Obviously he going to use it one day.

But you've heard no rumours or Tommy has told you, or has Tom – have you heard any rumours about the people that Tommy has evidence on?--- Oh, he just mentioned Daryl McCreadie, Emir and the boss of Daryl, I can't, I can't recall his name at the moment.

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And no one else at the University of Sydney?---No, no, this is the only people he mentioned to me.

All right. And are you aware, I'll just ask you one final time, are you aware of any other benefits that Tommy was paying to people at the University of Sydney?---No, at the University of Sydney, no, but I'm aware that this, okay, this kind of field, which is a subcontractor and security and stuff, it's dirty. So, in order to get contractors and stuff like this, they have to give someone money. It's, it has to be like this. And to be honest with you, leaving shonky person like this to work somewhere else, is still the same. You know what I mean, it's nothing different. I'm pretty sure if you guys like raided all these subcontractors and all these places, you will find every one is corrupted as, this what I believe, you know what I mean? Because you do to the company, the company straight away will throw you to some subcontractor to enslave you, then you start the slavery era, you know, this what happened, basically. You go work for someone, that's it, and you have to obey everything.

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How did you meet Tommy?---Okay, I met Tommy, was in 2000, maybe, 2010 or something. Somebody refer him to me because back in the days I was on bridging visa, not permanent here. So you can can't get job easily, you know, especially when you are, like, in bridging visa, you've got no, maybe you will, you will get kicked out of the country in two weeks, three weeks and there was long wait because I was doing, like, skilled immigrant and it's long wait. So I met Tommy, I have all the rights to work, I have the work, like, the rights to work full-time and everything, it was a bridging visa, but at the same time if you try to approach a company or, like, a big organisation to work with, they won't accept you. So, I met Tommy and I work with him, like, for several places, you know what I mean? And then in 2012, once he had the university, he sent me the first one, like, to, like, to, to work in this university and then he start getting people to work at the university. So, this how I met him, like, 2010 maybe, or, or - - -

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And did you meet Tommy through community contacts or did he, how did you hear about the SIG?---Oh, look to be honest it's like eight years ago or maybe more, I can't remember, but I remember I spoke to him, I went into the office the first time, when I spoke to him the first time in the office, he told me, "Look, George, I will take you," I don't know, maybe a friend refer

10 him to me, give me the number, I spoke to the office and then he goes to me, "Come to the office so you can give us your paperwork and stuff and we'll find a job for you." So Tommy was in the office, I had the meeting with him, and I remember this day because his mind was like, not okay, at the beginning he was like, look, I'm, like, in Egypt where I came from, like, this like, you know, I don't want to speak about this but it's like, tension between Christian and Muslim. Tommy's Muslim, I'm Christian, you know what I mean, when I work with him, the first thing he told me, "George, I hate anyone, like, who criticise my religion." I just say, "Man, look, I'm coming to work with you, you pay me on time, as long as you pay me on time I'm not talking about your religion, like, I don't care, you know what I mean, as long as you pay me on time, accordingly and fairly, but that's, that's fine, I don't, I don't ask for anything else, I'm not talking about your religion or you talk about my religion or any of this stuff." So that's why I remember these things because his mind, back in the days was like a kind of strict, like strict Muslim, but was a time he changed. I remember like, two years ago he was cursing the Brotherhood Muslim and all these stupid groups in Egypt, you know. So this when I met him first.

20 And did Tommy pay you on time each week?---Yes.

And he paid you in cash?---Look, I submit, as you guys can see, maybe you have the emails.

30 Mmm.---Submit all the hours, you know what I mean, I get 38 hours. For me I would love to get all in tax, you know, I have no problem with that, but if he need me and he make me work like seven days at the university, eight days, nine days a week, you know what I mean, he paid me the 38 hours and you can't ask for anything else, all the rest of the money he paid me in cash.

So he paid you, he, did you get EFT for the 38 hours and then cash for all the additional hours?---Yes.

40 Okay. So I'd like to ask you - - -?---But sorry, sorry, one thing. For me as a person I would like to get all in tax, okay. Why? Because if you paid me accordingly, same like other people working directly with SNP, each hour extra it's going to be double. Okay. So if I'm getting paid like \$22, if I work with him on tax, if he taxed me or paid me these hours on tax I'll get paid \$42, it doesn't matter, the taxation will take how much, 30 per cent, I'm still a winner, you know what I mean. But you can't ask. As I said before, you have no rights. You work with him, this is what you get. Happy, happy. No? Sit at home.

The current subcontractor that you work for, do they pay you in cash or do they pay you, do they deposit money into your bank account?---Well, all right, I'll tell you what happened. I went with Egroup as I said, first. I find ads on the website, they were like, legit, they put the ad on the website, come work direct with us. I went there have a meeting in the office and he

goes to me, "Well, there's a job available at the moment but the thing is, in this site, particular site, you have to get paid via the subcontractor." Okay. I goes to him, "Okay, that's fine. Let me see the, the, the, the subcontractor," because this is the only availability, plus at the university they start like putting pressure on you, because we were doing the right thing, speaking out to the clients, reporting everything wrong happening, SNP doesn't want this to happen, he kept pumping us until I quite. So this is like first place to go. So I went to these guys in Egroup, they hooked me up with the subcontractor, I met up with the guy. I goes to him, "Man, just give me on tax. It doesn't matter if you give me like, \$21, \$22." Whatever he pay me I just need to, like, to keep making money. I have a family and mortgage. The guy goes to me, "Okay." For the first three weeks he's depositing the money. I'm going to talk to him like, today or tomorrow, 'cause what happened, he think maybe I'm idiot or something so he think when he deposit the money to my account I will believe that this is like a cash, like I'm in tax and all this stuff. Okay. So for the last three weeks he's still paying me like, depositing the money into my account. I can show you the thing, the money come into my account. And I consider this one is still cash, so I have to go sit with him again, explain to him the different between cash, I know he knows but maybe he's playing idiot, otherwise I'll have to search again and try to find somewhere else - - -

All right.---? - - - unless I will stuck with him and get the cash. Sorry to say I have no other way to go.

Sure. Okay. Well, I'd like to return to SIG.---Yes.

And I'd like to ask you if you submitted time sheets to SIG where you claimed shifts that you did not actually work.---Okay.

30 THE COMMISSIONER: Can we have a yes or no answer to that and then you can explain? Did you or didn't you?---Depend what he mean claim. Like, if you're speaking about claimed like I did the job, like, what I used to do before, as I told you before, like the four hours I did the job and I claimed it, yes, but I didn't attend at all and get the money, no.

MR BAINE: Can I give you another example, though?---Yes, sir.

40 Say a request for service was received at the university for four guards at the Fisher Library - - -?---Yes.

- - - but only one person would go, but that one person would claim for all four of those guards.---Okay. If I did the job, like, I did the job, and for example one guard missing and I cover this one, I covered, like, okay. I don't take, right, as I mentioned before, if I did the job I'll take the money, you know, I'm not going to work for them for free. If I do the job I'll take the money. If I didn't do the job I won't claim the money.

But this is different because - - -?---Yes.

- - - you, in the hypothetical that I just gave to you - - -?---Yes.

- - - might go and do the job, but then there are three people who didn't turn up to the side but you might claim for the work of those three people who didn't actually perform the work.---Okay. All right.

10 THE COMMISSIONER: Is that right?---No, it's happen but I didn't claim, okay. What happen, I work at the library. I give you example for the library and this is like, you can see it in the time sheet. Okay. Three guards in the library. Three guards come into the library. Okay. For some reason one of the guards has to be downstairs, one upstairs and one relief guard to give us the break. One of the guards in the team not coming, so the team is more important than, more, like, critical than the library. Okay. So I stay in the library, taking care the library, do the relief and do the normal job and I get half of the (not transcribable). Do you know what I mean?

20 MR BAINE: Half of the - - -?---No, the three guys, no, the library all three guards, okay, library guards altogether three, okay, one downstairs for the law library, one upstairs for Fisher Library and one relief guard to give relief to both guards, and at the same time he can do the roving patrol like every 12 o'clock, 3 o'clock in the morning and 6 o'clock in the morning, you have to do, like, credential check, ID check, okay. So for example, the guard downstairs is still downstairs, upstairs, upstairs, so he took the guard for the team, like the third guard, because as I said, team is more critical or important than the library, so in this case, guard didn't come, take the guard from the library, and for example I do the roving and at the same time I do
30 And it's happened not all the time, it's happened like a few times.

THE COMMISSIONER: Just, just explain to me slowly.---Yes.

What happens sometimes?---Okay. Three guards for the library, sir.

Yep.---One doing the law library - - -

Yep.--- - - - and one doing - - -

40 Fisher Library?---Fisher Library.

Yes.---And the third guard is doing like relief guards like, to give the breaks and he patrols through the night, do one patrol at midnight, 3 o'clock in the morning, 6 o'clock the morning.

Ah hmm. The team, one of the guards or one of the CMS operator or team leader pulled, like, pulled, he is not coming to work.

Okay. So in fact the team leaders, the only option for him is to take one of the library guards, because the library is not that critical thing.

Ah hmm.---I mean the team is more important because they do important jobs. So when he took one of the team, I cover the other guards, okay, if I'm working in the library, just like answering to his question, I'm doing the library, so in this case I will do the roving at night-time, do the roving and do the relief.

10 And charge for it?---No, not charge the whole thing, I just, I get like, 'cause I don't have to charge the whole thing because the thing is I didn't do his, like, like, I'm already there, you know what I mean.

Yes, yes.---I get like, six hours.

What, additional six hours?---Additional six hours, yeah.

Okay.---For the extra job I did for that.

20 Okay. But you had to be there anyway.---Sorry?

You had to be there anyway, didn't you?---But the thing is, okay, the thing is, I did the extra job, you know what I mean. I'm supposed to be, for example, okay, the library, upstairs the door is open, okay, so the guard has to be sitting upstairs. The downstairs one, the doors are locked. No one, like, no one can exit or enter from the downstairs thing. So if I'm downstairs I'd have to do the extra job for the relief guard, so what I have to do, I have to do the patrols, check the IDs at that time. That's not part of my job. I'm supposed to be only, for example, doing the job downstairs or
30 doing the job upstairs, so doing the extra job where I have to do it for them, like, do you know what I mean?

Covering for them?---Yeah, I cover, cover for him.

Yes.---And then somebody will like, write the name and he will get, I did the job already. So I'm not taking, like, I'm not stealing money for them, I did the extra job, I get what I deserve and I didn't get like, the 12-hour shift, just get the, for the six hours. And it's not, okay, again it's not, it's happened like, a few times.

40

MR BAINE: Could I, Mr Boutros, take you to some documents, and we might be able to - - -?---Yes.

- - - go through a step-by-step of perhaps - - -?---Yes.

- - - what you're talking about.---Yes, yes.

Commissioner, do you need a copy?

THE COMMISSIONER: No, I've got a copy, I've got a copy, thank you.

MR BAINE: Now, Mr Boutros - - -?---Yes.

- - - just give me a moment to try and find an example. All right. Could I ask you to turn to page 13.---Yeah.

Actually perhaps page 14.---14, yeah.

10

Now, this is a time sheet from you to S International on the 26th of February, 2018.---Yeah.

Now, during this week you've identified that you've worked 150 hours. ---Yes.

So that's, that's quite a lot of hours to work during one week.---Yep.

We might come and return to how 150 hours was calculated in a moment.

20

But I'd like you to have a look at the hours that you worked on Sunday. ---Okay.

Now, you've identified that you've worked 46 hours on Sunday.---Yes.

Now, on normal mathematics it's impossible to work 46 hours in a 24-hour period, isn't it?---Yes.

All right. So can you see that at the top of the entries for Sunday - - -? ---Yes.

30

- - - there is 12 hours that was worked between five and, 0500 hours and 1700 hours? ---Yeah.

And then you've claimed four hours between 0500 and 1300 hours, and then the next shift or the next line you've claimed six hours between 0500 and 1700 hours. So can you just explain to the Commissioner how it's possible to have worked 18 hours in a 12-hour period?---Yep, yep. Okay. Look, to be honest, I can't remember this day, but this is my, yes, this is my time sheet, but what used to happen, okay, for this time sheet maybe like I claimed like the four hours or five hours or whatever, but if you check my last envelope with Tommy, okay, when you went there to his office and grabbed all the envelopes, you will find extra money, like around \$200, okay. That would explain to you what used to happen. For example, if I'm working with Frank, I take half of his shift and keep it with me. Frank have a gambling addiction and he is my friend, okay. So what I used to do, take half of his shift. That's why you'll find me, yes, sometimes, as I said before, I claim a couple of shifts, but not, not everything. I keep the money

40

with me so he just go, he can go to the casino, just like, he's like, Asian gambling hard, he can put like \$3,000 in a machine, gone in a second. So what I used to do, the rest of the week, he start, like, asking me for money. I don't, like, look, I have a family, I don't give him money. So what I used to do, I made a deal with him, I go to him, "Don't you work with me at the library, I'll take half of your shift, save it for during the week." And if he ask me for more money, he pay to me in the next payroll. You can see in the envelope, the last envelope, there is like \$200 extra for the pay. Like, if you check the, I don't know when is the last time sheet, if you check the last
10 time sheet, I supposed to get like, I don't know, certain amount of money, if you can collect the money in the envelope you will find \$200 extra. So what used to happen between us, save the money for him, start giving it to him throughout the week 'cause I almost use to work like, seven days, okay, so give it to him throughout the week and then if he withdraw more money from me, he give, he either leave it to me in an envelope in the team leader desk or he can give, ask, like, give what's her name, Lynn or Summer a call in the office, take 200 from my pay and put in George envelope.

20 But I just, I'd like to know - - -?---Yes.

- - - this, Mr Boutros.---Yes.

That in a 12-hour period how is it that you've come to claim 22 hours of work?---Yeah, this what I said. If Frank work with me I take half his shift. If there's another guy, it could be, like, other guard missing so I took half Frank's one, like, half Frank's shift and the same for the guard.

30 But if Frank, is Frank on-site during these, do you think that Frank would have been on-site during this shift?---Well, most of the shifts he used to be.

Okay.---Maybe he take his car and like, okay, be honest with you, sometimes he used his car and go like, casino or the pub next door and come back one hour, two hours, but he - - -

But see, what I'm trying to find out, Mr Boutros - - -?---Yes.

- - - is that if you were rostered on for 12 hours to work at the library - - -?
---Yes.

40 - - - it would be very possible for you to work the 12-hour shift - - -?---Yes.

- - - from 0500 hours to 1700 hours.---Yes.

But the confusion arises for the next two shifts, even if you have split those shifts with Frank, is it not the case that you are still claiming for two additional shifts, being the four-hour and the six-hour claim, while you were working your first shift, your primary shift?---Is how many hours, sir, how many hours here? We're talking about Sunday now, right?

We are.---Nine hours, Sunday, all right, we'll take Sunday, library, 12 hours.

We'll start with the first three shifts though.---Can I just like have another piece (not transcribable) - - -

Of course. Do you need a piece of paper?---No, no, I'm all right now. So Sunday library from 0500 to 1700, 12 hours.

10

Correct.---And then from 0500 to 1300, four hours, and then from 0500 to 1700, six hours. Yes.

So in that 12-hour period, you're claiming - - -?---20 hours. No, 22 hours.

22 hours.---Yes.

But what I just want to know is, how is it that you claim - - -?---Okay.

20

- - - came to claim the additional 10 hours of work?---Okay. Yeah, it's not, okay. Now, I'll explain to you now. Okay. 12 hours is hour I did. Okay. Four hours, there was a shift, okay, 'cause the library's three guards and one of them has to leave at 1500. This guard didn't come up, okay, I did his job and Frank did his job. So I took four hours and Frank four hours, plus the six hours half of Frank's shift, the one I save it for him throughout the week, so that's make 22 hours. Like, if you look at it, the 12 hours is 12 hours I did.

30

All right. So - - -?---Four hours is the covering up shift and six hours is half of Frank's shift is already, like, working.

All right.---He took half of his and the other half, I save it for him so he can take it.

Okay. So let's just talk about the four and the six-hour shifts for a moment. ---Yes.

40

This four-hour shift was work that you were covering for someone who was doing the roving guarding. Is that correct?---Yes.

All right. But were you actually doing that work - - -?---Yes.

- - - because you were also performing your 12-hour shift at the same time? ---Yes.

So was the 12-hour shift a static shift?---The 12-hour shift, what I do, okay, as I mentioned earlier, library upstairs, okay, on the entry and exit for Fisher Library and law library is from level 3 Fisher Library. There's a guard

already sitting there checking the IDs. Downstairs for some reason they have a guard just to sit downstairs in the library. Law library, doors are secured, no entry, no exit, they just need a guard to be sitting there, so we don't do anything, you're just sitting the 12 hours. That's why I told you, with the university, I mean like the team leaders find that somebody's not coming or somebody called sick or whatever happen, they know that there is nothing to happen downstairs, just sitting down, so they grab one of the guards of the library to cover in the team, it's going to be better to cover in a team, and then because I'm doing nothing sitting downstairs, it's my 12
10 hours, I just go do the roving and all this stuff and come back because the doors are shut, not opening at all.

So, you were doing both of those roles at the same time?---Yes.

Except that perhaps it would be better to say that you weren't actually performing what was required of you for that 12-hour shift because you were doing both shifts, is that correct?---What was required of me?

Well, would you, would, would SIG or – I withdraw that. Would the
20 university except that you would be on the one floor for the duration of that 12-hour period?---Well, believe me, you can ask them what is the job for the law library guard. The job for the law library guard, is just sitting down, what you do? You come, sit down if you have a laptop, open the laptop, listen to music or that's it because the thing is, not many people in the law library, especially this maybe happening during the, like, what do you call it, school holidays or something, if you check the time, maybe this happen during the school holidays or something. Normally, you, what you do, you just sit down and also you can't even help the student to borrow books
30 because your not the librarian. So, if you need to search one of the books or something, they use the computer, they have to search it, so basically, you just sitting down doing nothing. This the reason the team leaders used to come to the library last moment, "Oh, we will take one of the guards." It was like a normal thing, you know what I mean? Take one of the guards because library, nothing's going to affect it. You have the guard upstairs, the guard downstairs and the one downstairs, he can do the roving for the three times roving, which is as I mentioned, it's early in the morning, it used to be sometimes and night-time, it was compulsory and that's it.

Would Frank have come for the 12-hour shift at all?---Well, he, look, he
40 used to cover, he used to come and cover, you know. But as I said, he, he, the money, if he can sometimes he jump in his car and go, like, but this is if three, if the three guards on-site, he can jump in his car and go do, like, couple of things, you know what I mean, and come back. Yes, he used to come sometimes.

THE COMMISSIONER: Mr Boutros.---Yes, sir.

Can you just have a look at the bottom of that page.--- Yes.

This is a time sheet where you've got your hours - - - Yes.
--- that you submit to SIG and the total hours claimed are 150.5.---Yes.

Can we take it that you were paid?---Sorry?

Can we take it that you were paid for 150.5 hours?---Can you take it that I get paid for the 150?

10 Did you get paid for the 150.5 hours?---Yes but I paid some of them to Frank.

All right.---You know what I mean?

All right. But that suggests that you were working 21.5 hours per day every day.---Well, I used to work 24 hours, like, day and night sometimes.

Are you saying that you actually worked those hours, 21.5 hours per day?
---Oh, yeah, yes.

20

So, you would have had 2.5 hours per day to sleep and that is if you went to sleep immediately?---Well, no, no, no. I used to, look, I used to have a break, because, okay, say if we need a break, for example, only two people in the library, okay, person can come from the team, relieve me for one hour for my break, like, for example, I, I'm the rover and I'm the relieve guard, we two only in the library, okay. As the, as he mentioned, for example, I can't work 21 hours unless if I'm a machine, I can't work 21 hours continuously without sleep, I will die. So, what used to happen, call the team, they already dragged one of our guards from the library to help them to work in the team. So what I used to do, just give them a call when it's a quiet time, somebody can come, I go downstairs to the library car park, sit in my car, sleep for one hour, one hour and half, because I can't continue, of course, I can't, I can't work 21 hours continuously. So, I used to go for a break.

30

MR BAINE: What we're talking about here - - - Yes.

--- on this Sunday - - - Yes.

40 --- is actually 46 hours. So, if you look at the first time on the Sunday, it's 0500 hours and we can take that to be to 0500 hours on the Sunday morning and then if you go down to the final line on the Sunday, it says another Sunday from 2359 to 0900 hours. Now, we can assume that that 0900 hours is on Monday morning. - - - Yes.

So, between 0500 on Sunday and 0900 on Monday morning - - - Yes.

--- that's a period of 28 hours but you've claimed 46 hours during that period.---Yes.

So, what I just want to know - - - Yes.

--- is, did you actually perform 46 hours of work?

THE COMMISSIONER: You couldn't have.---No.

You couldn't have.

10

MR BAINE: So, could you please explain to the Commissioner how it is that you claimed 46 hours of work?---Yeah, well, it's what I said. If you look at it, anything between me and Frank, deduct these hours and anything else I took. So, if you find here, four hours and half, six hours, four hours, so it's like, 14 hours and half, so 14 hours and half, how many hours I did, all right. Just give me a second. So, myself, I did 28 hours.

20

THE COMMISSIONER: Well, you couldn't do 28 hours in 24 hours, could you?---No, it's not 24 hours. It's start from 5 o'clock, finish at 9 o'clock, so it's 28 hours. 28 hours and 28 hours.

MR BAINE: But you've just told the Commission, Mr Boutros, that if you had to work for - - - Yes.

--- 21 hours, I think I'm paraphrasing your words here, but you would die because you're not a machine - - - Yes.

--- and you'd become exhausted.---Yep.

30

But is your evidence that you actually worked all 28 hours on this occasion?---I took my breaks. I took my breaks in between the 28 hours, guard relieved me, went for a break, yes. If, if you, if you need me to say that I worked the 28 hours, I didn't work the 28 hours.

40

That's what we're trying to find out.---But normally if you, but normally if you work in any workplace, you have your break, you know what I mean? So, I took my, like, my, my already break, my, my break, my normal break, I took my break in between, you know what I mean? So, so I already took my break within the 28 hours but if you look at the timing, it's from like, 5 o'clock in the morning until 9 o'clock, it's, yes, 28 hours. Yes, I was exist [sic] there, if you ask me if I was exist [sic] there or I was, not exist [sic]. No, I was exist [sic] there but I used to go take my breaks in between, like, within this 28 hours, I might have took, like, four/five hours.

But why would you claim this extra work - - - Yes.

--- when you could have just claimed 28 hours? So, if you, you were rostered on to work for 28 hours- - - Yes.

--- why would then have claimed the 46 hours?---Because I already did the job for it.

So. - - -But I didn't take the 46 hours, again, I didn't take the 46 hours, you know what I mean? As I said, if you take 14.5 out of it, I took the rest.

Well, can I ask you - - - Yes.

10 --- this, say you look at that third line down, Sunday is "0500 to 1700 between me and Frank."---Yes.

Now, that's a 12-hour shift, isn't it?---Oh, yeah.

Between 0500 and 1700?---Yes.

And you've said, "Between me and Frank".---Yes.

Now, half of 12 hours is six, isn't it?---Yes.

20 So, are you saying that you claimed six hours of that 12-hour shift or are you saying that of that six hours you only claimed a further three hours because you gave the other three to Frank?---No, no. I took, okay, if it's 12-hour shift, I claim just the six hour shift.

And Frank gets the other six?---Yes.

But Frank would claim that for himself in his own time sheet, wouldn't he? ---Yes, but for the Frank one, I save the money for him. As I said - - -

30 THE COMMISSIONER: Well, let's get to the saving of the money in moment.---Sorry.

But that means that in fact you did claim for 46 hours when there's only 24 hours in a day.---No, I did claim this day. Okay, this day I work 28 hours out of the 46, okay, just calculate it.

Yes. 20, but - - -?---46 minus the 14.5, so, it is 14.5, how much is that?

40 Wait, why are you deducting 14.5?---Because it's money I didn't claim it. This is the money, I took it for Frank.

Yes, you claimed it. So you did claim it but you say you then paid it to Frank but why would you do that when, as Counsel's pointed out to you, if you look at the second entry for Sunday, library from 0500 through to 1300, that's an eight-hour shift and you claim half of it, four. 0500 until 1700, the next entry, "Me and Frank", equals six hours. That's because it's 12 and you take half.---Okay, all right.

This is not adding up, I've got to say, Mr Boutros.---Yeah, yeah, no, I will explain it to you, sir. It's 46 hours.

Yes.---Okay.

But why would you give any more money to Frank?---Because he's borrowed money from me, he borrowing the money from me, every week he borrowing money from me, he just have a heavy gambler, he go to the club, waste all his money.

10

Okay. But he's already, if you look at the second entry - - -?---Yes.

- - - he's already getting four hours. So what are you saying, that you ended up giving him eight hours?---Most of the shifts he work with me I took half of the shifts, keep it for him. During the week, during the week he take, like, if you, if you check his record, if you check his credit card you'll find this guy going to the, okay, the casino and gambling hard. She can put like four, \$5,000, \$3,000 and wasting. So during the week because I'm his friend he come and ask me for money. I can't give him, like, I can't like, give him the money because I have a mortgage and I have some other stuff. So I made a deal with him. Any shifts he work with me I save half of it and keep it with me. During the week he can get the food, we can eat, we can do, like, he can take the money if he need the money for like, petrol or like anything like this, he can use the money throughout the week.

20

Well, then why - - -?---And if you check - - -

Why was it necessary to use the words, "Me and Frank," at all then? I mean you could have given him any money you like I suppose, but it's recorded there, "Me and Frank." You're trying to tell SIG, one of the girls in SIG, aren't you, that he should get four hours and you should get four hours? ---Yeah, 'cause he was working with me.

30

Yes.---And I saved half for him. I know it's a bit complicated.

But you've already saved half for him.---Yes, and he get the other half. I don't care if he can go spend this money, go like, waste it the same day, but at least I have like 14 hours, this 14 hours' worth like, three, \$400, so this \$400 I keep it with me. If he come every day and ask me, because I used to work like, seven days, if you check my time sheet you'll find me working like seven days or more than this time, because I used to cover double shifts. So if I have this money, if he ask me at any moment, George, give me like \$100, give me like \$50, I give him from his own money. If he took more money than what I, like I owe him, in this case he returned the money and can you check the last, as I mentioned before, if you check my last payment you will find \$200 extra. This \$200 extra he was paying me off because maybe for example if he's supposed to have only six, like \$400 with me, he took \$600 and he's got \$400, so he owe me \$200, so I used to call the girls

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and give him the \$200 and said, "Put it in George's envelope," or sometimes if he got money, like, if he, if he deposit the money to his account, I don't know what he used to do, he used to put the money in envelope and leave it to me in a team leader desk, so when I come to work I can get my \$200 or \$300 or the money he owe me back.

MR BAINE: So is what you're saying, Mr Boutros - - -?---Yes.

10 - - - that you came to an arrangement with Frank where you would protect Frank from himself and his gambling habits?---Kind of, yes, because he's my friend, I've been working with him, he was my first team leader, I working with him for like almost six years, so I can see what happened to him. He lost his, like, okay, he lost his wife, he get divorced, she took everything and the guy is like crazy gambler. So what happened, he used to borrow money from me at the beginning and I don't get the money, you know what I mean, so I make arrangement with him, I goes to him, 20 "Whenever you work, all right, I will take half of the money and keep it with me, so whenever you take, you take from your own money, and if you take more money, if you take more money," he can give it to me back in an envelope. And as I mentioned, if you check, like, it's evidence of this or proof of this, check my last envelope, check my last envelope you guys got from Tommy's office, it have more money in it.

Well, can we have a look at the middle two lines.---Yes.

Now, this is for a shift between 1700 and 2359.---Sorry, where's that?

So if you go back, if you continue looking at page 14 - - -?---Yes.

30 - - - and you'll see that below the two, the three lines that deal with shifts from 0500 to 1700 hours, we're now looking at two shifts - - -?---Yes.

- - - from 1700 hours until 2359.---Yes.

Do you see those? And the first one is for seven hours and the next one is for 3.5 hours.---Seven hours and 3.5?

3.5 hours.---Yes.

40 Now, the first seven-hour shift - - -?---Yes.

- - - can you explain what that shift would have been?---17, yeah. They can't do direct, it's the library as well.

Yes.---They can't do direct shift from 5.00 till 9 o'clock in the morning because I know recently they mentioned something about you have to make, like, I think maximum 14 hours of something, so if you calculate, sorry, if you calculate from 5.00 to 9 o'clock in the morning, from 5.00 to 5.00 is 12

hours, from 5.00 to 9.00 is like 16 hours, so they have to split the shift in two shifts. That's why they made the shift from 5.00pm to midnight and then again from midnight to 9 o'clock or 8 o'clock in the morning. Does that make sense?

THE COMMISSIONER: No.

10 MR BAINE: No---Okay. Okay. Again. I know it's complicated. Because this library, sometimes it used to be 24 hours and sometimes it used to be like, I was (not transcribable) in the middle. So in this shift, okay, it must be one long shift, start from 5.00pm, finish at 9 o'clock in the morning, okay, but if you calculate the amount of hours in this shift you will find it's like around 16 hours. You can't make a shift with 16 hours direct, so they have to split it.

Right---So this from 5.00 till midnight is half of the shift and from midnight to 9 o'clock in the morning is other half of the shift, but it's still the library.

20 Right. Okay. So you again though have been working for two people at the same time. Would you agree?---Two people, how come?

Well, you can see that there's the seven-hour shift and then there's the 3.5-hour shift, so you've probably, if we applied your explanation for the first three shifts - - -?---Yes.

- - - you may well have done 3.5 hours of cover.---Yes.

30 Is that correct?---Okay. Out of the – okay, sir. Out of the – I know it's – I know, sorry, guys, it's a bit complicated. Out of this 46 hours, okay, Frank 14 hours and a half, the one I saved it for him and he took it later on. Okay. And you can see the 3.5 hours, that was no one and I covered for it. So out of this 28 hours I covered extra three hours, like, three hours and a half.

So do you remember when I asked you at the beginning of the compulsory examination if there were times where you would do one shift - - -?---Yes.

- - - where you were rostered to perform one shift - - -?---Yes.

40 - - - and - - -?---You do extra.

- - - while doing that shift - - -?---Yes.

- - - you would do another shift?---Yes.

Are we looking at an example of that here, where you were rostered on - - -? ---Yes.

- - - to do the seven-hour shift, but you also then performed a covering shift for three and a half hours?---That's it, because no one turned up in this day, no one turned up, but during the shift it was all covered except this hours, nobody turned up, so I did the shift, so out of the 28 hours the only thing I took because I covered extra is three hours and a half.

All right. But what I'd like to ask you - - -?---Yes.

10 - - - is whether or not this was a recurring pattern that happened. If we have a look at - - -?---Yes.

- - - page 13, which is - - -?---13.

THE COMMISSIONER: Just before we go there.---Yes.

You, you say that Frank had a gambling problem and you were trying to help him because he was in difficulties.---Yes.

20 But to do that - - -?---Yes.

- - - and I'm not saying whether that was the right or the wrong thing to do - - -?---Yes.

- - - to do that you were claiming work hours that you didn't work.---Sorry, what's that?

To do that, that is to help Frank, you were claiming hours that you did not work.---Okay.

30 No, no, but look, stay with me for a moment.---Yeah, yeah, I'm staying.

You could not have worked 46 hours on the Sunday.---Yeah, but Frank was working with me.

But he gets something. He gets something. He gets half of what you get. It's there.---Yes, because we decided. As I, as I, okay, sir, as I mentioned earlier, we talk about when he covered the library with me on, on Saturdays and Sundays, 'cause library I used to do only Saturdays and Sunday - - -

40 But Frank put in his own sheets. You see you, you are claiming in your own name 46 hours. Now, you may have given some of that away to Frank. ---No, no, it's not - - -

But the fact is you've claimed 46 hours and you were paid for it.---Okay. It's not how it is. Sir, 14 hours and a half I said for Frank, instead of they give the money to Frank, to give him like \$4,000 and go lost the money and come to me, ask me for money later on, I save this money for him.

You may have saved it for him, but to, to save it for him you were claiming 46 hours and you could not have worked 46 hours.---But I mentioned that this is for Frank, I mentioned this is for me and Frank, so - - -

Yes, but it says, “Between me and Frank, for hours,” for example.---Yes, yes.

Okay. That’s an eight-hour shift.---Okay.

10 So he gets half, you get half. But even when you get half and he gets half, you’re claiming 46 hours.---Yeah, but 14 hours point five, the only thing I claimed this day, okay, this day is 28 hours. The only thing I claimed for doing the extra work is a fee of 3.5 hours.

I have real difficulty accepting that, I have to say.---Okay, so - - -

I just don’t. Because you’ve already made an allowance for the fact that Frank was working.---Yes.

20 In each shift where you mention him, he gets half, you get half.---Yes.

So you were still claiming for 46 hours of work that you, that, for work that you say you, you carried out.---No, there is other, okay, there is other people, okay, three, sir, three of us working, three of us working, myself, Frank and Michael, any, any other name. Okay, I took mine and I save for Frank half of his shift and other guard took his shift already, took his shift. So, I’ll have mine and half of Frank’s one, the one who worked. Okay, the only time I claimed in this day is the 3.5 hours whereas no one was working. So, out of that 46 hours, 14 hours point five for Frank, and 3.5, I took myself, this is the extra hours I did, I took for doing the extra job.

30

I don’t follow that. I just, I just can’t see how this record says that and I think you agreed with me some time ago that you claimed 150.5 hours. ---This is total the hours, is total the hours, I work this week. Out of them, for Frank the 14 hours, 14.5 hours he worked. Sir, look, okay, I’ll try, try to make, I know it’s complicated with these things.

It’s not complicated.---Okay.

40 It’s not complicated I just don’t think – the evidence you’re giving just doesn’t accord with your own, you own notes, your own email.---Okay, Frank works for 14.5 hours. I work, like, this is from our work, from my wages and he was take 14.5. He already took another 14.5 from the office and I saved for him this 14.5, he took it from me throughout the week.

But that’s already in there, you see? You’re not giving Frank eight hours - - -?---No, not eight hours, 14.5.

Sorry, no but you're claiming for yourself four hours. You're claiming for yourself six hours. You're claiming for yourself seven hours, 3.5 hours, 4.5 hours and it adds up to 46 hours that you're claiming for yourself.---No. Okay, can I make it, can I explain?

Can you tell me this before you give another explanation - - -?---I get 3.5 hours this day, 3.5 hours.

10 For that week, you claim 150.5, correct?---I worked, like, yes.

Yes. And did you get paid for 150.5?---Yes.

And you say that you gave some of that to Frank?---Okay, he, okay - - -

20 Is that right?---I didn't give him because I gave him from my own money or sharing the money, I give him, because he work these days with me and he took only half of what he gets and I took the other half to save it for him so he take it throughout the week. The only thing I claim this day, 3.5 hours for the extra work I did.

No, but that's not right. You claimed 46 hours.---I took 46 hours from the office.

Yeah. - - - Okay.

Yeah. - - -14.5 for Frank.

30 But, but this, somebody reading this, SIG for example, when they get this, they wouldn't know that you're, you're going to hand over more money to Frank, would they?---Is that, sorry? I can't hear it.

Nothing in here – you say you had this arrangement with Frank.---Yes.

But there's nothing in this - - -?---I'm not going to, it's normal email, I'm sending normal email to the office to give me the hours. I don't have, I don't, like, sorry, sir, but I don't have to say this arrangement, like, this is, like, a normal email, you sending normal emails to get your hours.

40 Do you accept that the person who received it would have thought, or should have thought, that you were claiming that you had worked 46 hours on Sunday?---No, the girls already understand, the girls already, in the office, understand.

What did they understand as you understand it?---Well, they understand because Frank was calling them say, "All right, put this money to George take this money," you know what I mean? So, we used to do it over, like, okay, used to call the girls over the phone, and for example, as I said, as I said, the, the, like, the most proof of all this stuff in my past pay, you will

find money, extra money in the envelope. He, this week he took more money off me and he refer, he sending the money back. He call the girl and would say, "Look, I owe George some money. Give him \$200." So, I used to save the money for him and then throughout the week, he gets the money, spend it, and then the week after the same.

Well, looking at that Sunday, those Sunday entries again - - - Yes.

10 --- how many hours do you say you gave over to Frank?---14 and a half.

Sorry?---14.5, sir.

So, if you look at that, that second entry, for example, Sunday library from 5.00 until you know - - -?---13, Yes.

Okay that's eight hours. Your evidence is, is it, that that amount of money, that is eight times 23 or 22, was given to Frank, the whole lot?---Yes.

20 I see, very well. And, and the same for, "Me and Frank", under that six hours, he got the whole lot, you didn't get anything?---Well, sorry, what do you mean by he get the whole lot?

Well, four hours, sorry, the, the shift five, 0500 through to 1300, that's a shift of eight, eight hours.---Yes.

30 Now, I had thought that the four hours represented what you got and what Frank got, he'd get the other four hours, but you're telling me that, as I understand what you're now saying, that, that Frank got eight hours.---I, sorry, I don't follow. Like, I, what, what eight hours? It's six hours and then it's four hours and then it's another, like, 4.5.

No, but, see, that's my point, and I think it was pointed out by Mr Baine earlier. - - - Yes.

4.5 hours is actually just half the shift.---Yes.

So. - - - I, I told you, I used to save half of his shift and he can take it throughout the week.

40 Yes, but that means, for example, the 500 to 1300 of eight hours, Frank ends up getting all the money for that. You don't get anything at the end of the day.---I did the 3.5 hours, 3.5 hours between - - -

Don't worry about the 3.5 hours at the moment. On your evidence, you would get the 12 hours, you would get the seven hours, you would get the 3.5 hours and you would get the 9 hours.---Yes.

But all the other money went to Frank, is that what you tell us?---If he work with me.

Yeah. - - - I have half of shift for him.

Yeah. - - - I saved half of his shift for him.

Yeah.---Yes. If he work with me - - -

10 Yeah. - - - this day, all right, half of the shift saved for him.

But that's already included. Four hours is half a shift. Six hours is half a shift.---Six hours is half a shift, four hours half a shift?

Yeah.---Yeah, I know what you're talking about now.

Yeah. - - - Yeah, yeah. From five to thirteen, okay, from five to thirteen and from five to seventeen - - -

20 Yeah. - - - all right, from five to seventeen, I saved for him the six hours.

Yeah. And, and you get six hours.---And I get six hours.

Yeah. Which means that you claimed 46 hours for yourself.---I saved Frank the, the six hours and he work, he took six hours.

Yes.---Well, why I have to take it to myself then?

30 Because you've already, in the 46 hours, you've already taken into account that Frank gets half, otherwise four would be eight, six would be 12, 4.5 would be nine.---Which 4.5 would be nine? Okay, 12 hours, I took the 12 hours, okay, four hours, Frank took the four hours, six hours, Frank took - -

No, hang on. Frank took the four hours and you took the other four hours. ---Why I took the other four hours? If I said between me and Frank, that means Frank took the, the, the, took his half and I keep the other half for him.

40 Well, that gets back to, to, to, what you were doing then - - -?---Sir - - -
Just a moment.---Yes.

What you say you were doing then is between 0500 and, and 1300, you were working, he was working, but you gave him eight hours and you got nothing.---I don't know. Five to thirteen, okay - - -

Five to five - - -?---Look, sir, anything I wrote down in the thing, in the book, "Between me and Frank", that means Frank have the half.

But he's already got the half.---And he got his own half and I saved the other half.

I know you say that but what this is saying to SIG is that you had worked 46 hours. You might save some of it for Frank, I don't know, but you are telling SIG that you worked 46 hours and you'd already made allowance, at least for half for Frank. You know, if you added in those additional hours and you hadn't made allowance for Frank, it'd be even greater than 46, it would be up around 70.---I still don't understand.

Well, you don't understand. I don't either, I, I have to say, and this is your document.---Well, no, my document says, like, if anything, like, if I mention anything between me and Frank, that means he gets like, okay, he worked, he took half and I save the other half for him.

Which means that he takes half, you save the other half, that means, for example, from 0500 to 1300 you got nothing, is that what you tell us? You save half and you gave him half. So you gave it all to him and you didn't get anything?---Yeah, possibly. I, look - - -

Well, it's the only way it works out, isn't it? So, where you say, "Me and Frank", what it really means, if your evidence is to be accepted, is that, that "Me and Frank" means Frank.---Well, this what used to happen. Save the money for him - - -

All right. I'm going to take a short adjournment.---Sorry, sir?

And, and can I remind you again - - - Yes.

Mr Boutros - - - Yes.

--- that I don't want you to get into trouble but you must tell us the truth. Do you understand that?---Yes, sir. I understand.

Good.---And I said I claimed this day, like, I claimed this day for extra work I did, 3.5 hours.

I don't accept that, I'm sorry. I don't accept that. You've already made allowance for Frank in there. It cannot be that you got three, that you claimed for 3.5 hours. You're claiming for 46 hours, having already made an allowance for Frank and the work he did.---I'm sorry, I, like, I claim the full, the whole 46 hours for myself, is that what you're trying to say or - - -

Yes. Now, whether to not later you gave some, some, some money to Frank for his gambling problems, perhaps you did, perhaps you didn't, but the bottom line is you're claiming for 46 hours and it's representing to SIG that you had worked 46 hours. Now, of course they would have known you

couldn't have but they paid you. But what I, am have, I'm troubled by is your suggestion - - - Yes.

--- that in respect of that 46 hours you've only, you only claimed for 28. I just don't - - -?---No, no, I didn't say I claimed 28, I claimed 31, 31 and half.

Well, 31 and a half even.---Well, that's what happened. You check my last pay, you will find extra money in the envelope.

10

\$200.---Yes, \$200.

Which was something, as I understood your evidence, that Frank owed you because presumably you gave him money that he had to pay back.---Yes, I give him extra money, more than the one, he, like, I saved for him so he took more money so he pay me the \$200 back.

Yeah. All right. I'm going to take an adjournment for 10 minutes and probably no more than that I think.

20

MR BAINE: Thank you.

THE COMMISSIONER: Thank you.

SHORT ADJOURNMENT

[12.23pm]

30

THE COMMISSIONER: Mr Boutros, just remember you, you're on your former oath.---Sorry?

You're, you're still obliged to tell the truth.---Yes, sir.

Take a seat.---Yep, yep.

MR BAINE: Commissioner, can you just give me one moment?

THE COMMISSIONER: Yes, sure.

40



[REDACTED]

[REDACTED]

[REDACTED]

10

[REDACTED]

[REDACTED]

20

[REDACTED]

[REDACTED]

30

All right. Now, we've asked you some questions about your personal time sheet - - -?---Yes, sir.

- - - but there was also a site time sheet on site at all times, wasn't there?
---What's that, sorry?

There was also a site time sheet at. on campus where you would sign in and sign off?---Yes.

When you were using the name of another person to perform a shift - - -?
---Yes.

40

- - - would you sign on and sign off as that person?---Yes.

And did you come up with a signature that, or did you forge the signature of the, the person whose name was being used?---Most of the time I didn't sign it, but yeah, sometimes if they said, well, you have to sign, everything most of the names is not signed, I'll sign it, but I - - -

And if you didn't sign it, would someone else sign it?---Possibly, yeah.

And who would that be?---Maybe the night shift team leader or whoever coming on that time sign it or sometimes they leave it like this until SNP maybe send it back and say, or not send it back, say, well, why, why it's not signed next to the names, but I used to write the name myself, yes.

10 And were there ever any occasions where you would ask someone else to sign the time sheet for you?---Yes, and I've been asked a few times to sign the time sheet and sometimes, sometimes the guard didn't sign at all or sign in the wrong page, okay, because it's like a big book, folder for the sign-in sheet, sometimes the guards in the lock-up or unlocking, they signing the wrong page. So they're already gone, it's 10 o'clock, they're finish, and if I'm the team leader I will write all the names again and signatures.

[REDACTED]

[REDACTED]

20 [REDACTED]

All right. Now, I'd just like to draw your attention back to page 14.---Yes.

These are the documents that we were looking at earlier.---Yeah.

And I'd like you to just look at the 150 hours - - -?---Yes, sir.

30 - - - that's been claimed.---Yep.

Now, can you explain to the Commission, does that 150 hours include both the standard wage that you drew from SIG plus all additional cash - - -?
---Yes.

- - - or are they separate?---No, no. This, okay, this, I've sent the time sheet like this, this is what he told me, he told me you need everything in, in details so they don't get confused. Okay. They deduct my 38 hours, they pay it to my account and the rest was in the envelope.

40 So on this time sheet you would have got for example 108 hours times by 23 in an envelope and then 42.5 hours times by 22 would have been deposited into your bank account. Is that correct?---Yeah.

All right.---It's not, no, no, sorry, no, not correct. They pay me 38 hours, regularly every week 38 hours they pay to me.

So what are these extra other hours here?---Ah, the extra hours, it could be the, the claiming hours of something, the one I did over time, okay, they pay

me this time and sometimes if I give money to Frank they pay him less, I think they pay him 22, so they give me this money.

Can you just pardon me one moment, Commissioner?---Yeah, yeah.

THE COMMISSIONER: Did, did SNP have a, a practice of not paying overtime?

---Sorry, a practice of what?

10 SNP, did they have a practice of not paying overtime?---Yes. SNP, what they did, they approach all the guards, not SNP direct but I mean the site manager or (not transcribable), and they used to approach the guards and tell them, "Look, if you need to take overtime you need to sign with the subcontractor, so the subcontractor is going to give you the overtime, so they can sneak from paying the double and - - -

Yes, sure.---Yes.

Okay. Thank you.

20

MR BAINE: We've just been running the numbers on the time sheet - - -?

---Yes, yes.

- - - Mr Boutros and it appears as though there's 20 hours that haven't been calculated on this time sheet, so that the actual number of hours claimed is, as I understand 170.5 hours.---What, there's 20 hours not claimed?

30 Yes. So it seems as though the hours on the Monday for example where there's an eight-hour shift and a four-hour shift and a 12-hour shift, it appears that they have not been - - -?---Let me, sorry, let me calculate, can I calculate it again?

Oh, I see. Sorry, it's just a total of 12 hours that's, that's missing.---That's not paid, 12 hours?

It just appears as though there's a - - -?---I'll have to claim it. Let me, I'll - - -

40 - - - calculation error in the document.---Let me double check. No, I think it's accurate, it's exactly 150.5, 150.5, yes. Have a look again.

I see, I see. Sorry, it's, no, that's, that's my error.---Look, it – it used to happen sometimes, yeah, 'cause that's why I revised it, it used to happen sometime it's like miscalculation and then I called the girls in the office and then they, they paid me.

All right. Thank you, Mr Boutros, that's my error. I had doubled up on a calculation. In any event what's clear when you add the, all the hours

together and you reach 150.5 hours, is that this claim is separate to the 38 hours that you received - - -?

---No, include.

- - - from SIG each week.---But I sent a time sheet, they deduct the 38 hours and they put the rest in the envelope. So it's this total over all, like, 150 hours over all.

10 So you're saying this time sheet does include the 38 hours?---Yes, sir.

But they would deduct that and transfer it into your bank account.

---Yes, yes.

All right. Now - - -?---Sorry, can I ask a question, one - one question?

I might be able to answer it.---Yeah, yeah. Like, I - I received an email, as a, like, am I, am I here as a witness or a convict, because I'm still confused.

20 THE COMMISSIONER: You're not here as a convict, that's for sure.
---Sorry?

Did you say are you here as a witness or a convict?---Yeah.

You're not here as a convict, you're here as a witness.---Okay.

You've been summonsed here to help us with an investigation.---Okay.
Thank you. I just wanted to verify.

30 MR BAINE: As the Commissioner outlined at the beginning of the compulsory examination.---Yeah, no, no, just like, sorry, but I just wanted to confirm, sorry.

[REDACTED]

[REDACTED].

40 All right. Commissioner, those are my questions. Thank you.

THE COMMISSIONER: All right. Thank you, Mr Boutros.---Thank you, sir.

I'm going to let you go now, but I do stress again that I made an order that you can't discuss your evidence with anyone. I think you told me you're, you're still friendly with Frank?---Yes, I'm still friends with him, yes.

Okay but that includes, includes Frank.---Okay, sir.

All right. No discussing your evidence with Frank or any other person.
---Okay.

Anything else? No. I'll adjourn.

MR BAINE: Oh, sorry, there is a matter.

THE COMMISSIONER: Tender the folder.

10

MR BAINE: Could we please tender the folder.

THE COMMISSIONER: Yes. Okay. We'll mark that Exhibit 28.

**#EXH-028 – BUNDLE DOCUMENTS SHOWN TO GEORGE
BOUTROS IN THE COMPULSORY EXAMINATION 19 OCTOBER
2018**

20

MR BAINE: Thank you very much.

THE WITNESS: Thank you, sir.

MR BAINE: Thank you.

THE WITNESS EXCUSED

[1.09pm]

30

AT 1.09PM THE MATTER WAS ADJOURNED ACCORDINGLY

[1.09pm]