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COMPULSORY
EXAMINATION

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INDEPENDENT COMMISSION AGAINST CORRUPTION

STEPHEN RUSHTON SC
COMMISSIONER

COMPULSORY EXAMINATION

OPERATION GERDA

Reference: Operation Gerda E17/0445

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON WEDNESDAY 17 OCTOBER, 2018

AT 2.00PM

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

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

THE COMMISSIONER: Take a seat. All right. This is a compulsory examination of Gol Mohammed Amiri. Sir, do you take an oath or an affirmation? Oath on the Koran, is that - - -

MR AMIRI: Yes.

THE COMMISSIONER: Thank you. I might have you sworn now if we can.

10 MR AMIRI: Sure.

<GOL MOHAMMED AMIRI, sworn

[2.12pm]

THE COMMISSIONER: Mr Amiri, I propose to make a number of directions, the effect of which is really that what happens here today stays here.---Sure.

10 And the only people that can be within this hearing room are those that are here now, and then I'll explain to you what your rights and obligations are as a witness before the Commission.---Sure. Yeah.

Pursuant to section 31A of the Independent Commission Against Corruption Act 1988 I direct that the following persons may be present at this compulsory examination – Commission officers, including transcription staff, and the witness. I also propose to make a direction under section 112 of the Independent Commission Against Corruption Act 1988 restricting the publication of information with respect to this compulsory examination. The direction will prevent those present today, including the witness, other than Commission officers from publishing or communicating information
20 relevant to this compulsory examination. It will permit Commission officers to publish or communicate information for statutory purposes or pursuant to any further order made by the Commission. The direction may be varied or lifted by the Commission without notification if the Commission is satisfied that it is necessary or desirable to do so in the public interest.

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

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

THE COMMISSIONER: Mr Amiri, what – Amiri, I’m sorry.---Yes.

What that, that means is that what occurs here today stays here, so you can’t go out and tell people what questions you were asked and what evidence you gave.---Sure.

10 And I should tell you that it is a, it’s, it’s a criminal offence for any person to breach that order.---Okay.

Do you understand that?---I do understand.

Let me just explain to you, Mr Amiri, what your rights and obligations are as a witness before the Commission. As a witness you must answer all questions truthfully and you must produce any item which I require you to produce during the course of your evidence.---Sure.

20 Now, you may object to answering a question or producing an item but the effect of any 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. There is an important exception though and that is that the protection you get by objecting does not prevent your evidence from being used against you in a prosecution for an offence under the Independent Commission Against Corruption Act and, most relevantly, an offence of giving false or misleading evidence. If you give false or misleading evidence you will be committing a very serious criminal offence and the penalty can be imprisonment for up to five years. So it’s very, very important for your own sake that you stick to the truth and you
30 may be aware that we’ve been investigating this for some time now so we know a fair bit about the subject you're going to be questioned on.---Sure.

Now, rather than you objecting to protect yourself with each and every question, I can make a declaration that all the answers given by you and all items produced by you will be treated as though they were given on objection, and that means you don’t have to keep objecting in respect of each question and the answer you want to give.---Okay.

40 Would you like me to make that declaration? I think I should because you're unrepresented.---Yes, please. Yes, yes.

Thank you. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by 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.

PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY 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: So I've made that order. It gives you the protection that I've explained to you.---Sure.

But it's not going to protect you if you tell us fibs. Do you understand that?---Okay.

Thank you. Yes, Mr Baine.

MR BAINE: Thank you, Commissioner. Would you please state your full name.---Full name is Gol Mohammed Amiri.

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

Your residential address?---My current residential address is number [REDACTED] [REDACTED].

And do you have a personal email address?---Yes, I do.

What's that?---It's [REDACTED]

And is that the only personal email address that you have?---That's the only personal, correct.

And what about a work email address?---Work email address is gol, g-o-l, .amiri, a-m-i-r-i, @sydney.edu.au.

And - - -?---Sorry.

THE COMMISSIONER: Take your time.---I'm sorry, can I repeat it?

Yes. Take your time.---Okay. It's gol.amiri@sydney.edu.au.

MR BAINE: Okay. Thank you. And what about a mobile telephone number?

---Mobile telephone number is [REDACTED]

And how long have you used that number for?---I'm not quite sure but I've used the number for quite a long time now.

And is that the only mobile telephone you have?---Yes.

Now, Mr Amiri, what's your occupation?---Currently I'm doing a security job.

10

And where are you currently employed?---I'm currently employed at Sydney University.

How long have you been at Sydney University?---I've been at, I started in, if I'm not mistaking, I could be wrong, but it's July 2015.

20

And how did you come to work at the University of Sydney?---I was, I was working at the Sydney Opera House for five years and then the company I was working for they lost the contract at Sydney Opera House so I moved down to the Sydney University.

So who is your employer?---SNP, Sydney Night Patrol.

And when you were at the Sydney Opera House, were you also employed by SNP?---Yes, I was directly employed by SNP.

So how long have you been working for SNP for?---For SNP about seven years.

30

All right. And what are your roles and responsibilities at the university? ---At the beginning I started as a patrol officer roaming around, and then I've become a control room operator, and recently – I'm not sure how long because I don't want to give you the wrong date – but I've been working as a team leader.

But from approximately 2018 or was it earlier than that that you've been working as a team leader?---I believe it was earlier than 2018.

40

All right. It was earlier than 2018.

Now, I'd like to ask you some questions about the time, some time sheets--- Sure.

--- At the University of Sydney. Did you submit time sheets to –actually, I withdraw that. So there's a subcontractor at the University of Sydney, isn't there?---Yes.

And what's the name of the company that provides subcontracted security services?---Previously the subcontractor was SIG.

Okay. And who is the boss of SIG?---SIG was, from my understanding, from my knowledge it was Tommy.

And did you, other, and when you say Tommy, you mean Mr Taher Sirour. Is that correct?

---Yes, that's correct. That's his nickname, Tommy.

10 And were there any other employees at SIG who you had dealings with?
---The only person I personally dealt with was Summer, Lynn and Tommy himself, and there was, and the other two girls which I've forgot the name unfortunately, yes.

That's okay. So there were some administrative staff at SIG who you had communications with?---Contact with. That's right.

And would you text message them?---Yes.

20 Would you email them?---Just the text message and email, yes.

And would you ever speak to them on the phone?---I did.

All right. And did you meet with them in person?---I met Tommy himself. I met him twice. At the beginning when I first signed up for the company obviously when I, when I started – can I, can I say something?

THE COMMISSIONER: Of course you can.

30 MR BAINE: Yes.---When I started the, working at the university what, what I was been told I have to go through subcontractor in order to get overtime. If I don't go through subcontractor that means I'm not going to get overtime through the company. So what I did, I signed up with the, with this company and I provided all the detail, tax file number, everything. During, that, that was the first time I've met him. The second time I met him also in the office and then the third time I made contact with him to increase the wage, if it's possible for him. That's, with Tommy we don't have direct contact with him all the time that we have to talk with him or anything like that. It was just, it was just Lynn and administration people that was working in the office.

40 So we might return to this shortly but what you're telling the Commission is that you worked for SNP, but SNP told you that in order to claim overtime. - - Yeah.

--- You had to work for the subcontractor SIG?---That's right. Only the overtime work was going through subcontractor. My normal, normal hours used to be with SNP. Normal weekly hours, like I used to be four on and

four off. The four on was with SNP. Anything onwards, whatever they give me it's for SIG.

All right. And when you say you used to be four on, four off, are you working different hours at the moment?---No, no, no, no.

You're still working four on, four off?---Still working four on and four off but when I got the four on that's it, I complete that four on and then as soon as my days off come in the overtime goes for SIG.

10

All right. So, Mr Amiri, did you submit time sheets to SIG when you claimed extra shifts for work?---Yes.

And did you submit time sheets to SIG where you claimed shifts using the name of another person?---Yes.

Now, how often would you do that?---To be honest with you I can't recall but I did it since I've become a team leader. Since I've become a team leader and I might have done it when, when I was a control room operator as well.

20

Is it possible you did it as a patrol guard too?---Yes, could be a possibility, yes.

And - - -?---I'm not going to say no because I could be wrong, sir.

THE COMMISSIONER: No, just do the best - - -?---Yeah.

You know, what you recall. - - - Yeah.

30

THE COMMISSIONER: We're not trying to catch you out at all. ---Yeah. No, no, no, it's okay but, yeah.

MR BAINE: Who told you to do this?---Well, at the beginning it was, it was all going normal. Everything, we were submitting the time sheet when, when Lynn, Lynn had the roster, okay. She was texting us the shift and we used to go to the shift, but when the roster changes come within the the, the group, okay, back then it was Lynn, Lynn had the roster and she used to text us okay, this shift you're doing. We used to go and do it. And then becomes, obviously you guys know Frank, Frank Lu, and then he become the roster manager and then that's when he - - -

40

So the period you're - - -?---That's when he started.

So the period you're talking about is about August 2016?---Yeah.

And from approximately August 2016 you started to use other people's names to work shifts?---Mmm.

And Frank Lu was someone who would provide you with a name that you could use for that shift?---Not, not Frank Lu. They, Lynn used to text us okay, you're working under this person name and we used to put the, put down the name and Frank, Frank Lu was just giving out the rosters.

Right.---Yeah.

10 So why do you think that Frank and Lynn told you to use other people's names?---I'm not sure, because probably they couldn't cover the shift and they want us to cover the shift at the time and there was not enough people on the, on the roster to cover the shift.

And did anyone at SNP tell you to work using other people's names?---No.

And when you used someone else's name, did you actually perform the work?---Yes. I was there the whole time. When, whenever I used to get a shift I was there the whole time.

20 And were there any occasions where you might have used someone else's name but you didn't work the whole shift?---Not that I'm aware of and I was, I was there the whole time when I used to perform the duty because our role was specific. We have to be on-site. It depends, if, if a site manager or a roster manager that's a different story, but as a guard, as a team leader, as a control room operator we have to be on-site.

30 So were you aware that any other people at the university were claiming shifts using the names of other people?---I wasn't, I wasn't aware until I became a team leader, and then once I became a team leader I was aware back then.

And did you discuss it with other people at the university?---No. No.

Mr Amiri, did you submit time sheets to SIG that inaccurately recorded the hours that you had worked?---Yes.

40 Can you tell the Commission about that?---Okay. What we used to do, we used to cover the shift and then the site manager, which was Emir, used to tell us okay, this much how, how, how many hours you'll be getting through the covering. Okay. We used to cover the shift okay and Emir used to come with us and say, okay, you'll be getting four hours, for example, or six hours out of this much hours, and then we used to submit that and he used to provide us with a name, okay, this name you put in and tell, tell the girls in the office that this, this name should be used for these hours.

So if Emir told you that you were only to be working for four hours or you would only be paid for four hours, did that mean you only worked for four hours?---No, no, no, no. Okay, let me start again. The four hours we used to get for covering, for covering some other position, okay, not the position

I was working. I was working, I was getting the, the full amount of hours the position I was working, but the position, the second position that's supposed to be there was a guard, which we raise at, at the time that we need a guard for this position but they, they keep ignoring us, and they were telling us, obviously we had no choice but to work because if you speak up and raise up you will get sacked straight away and no, no question will be asked. And that, that was the only reason we have, we have to stay quiet and basically do whatever they told us to do.

10 THE COMMISSIONER: Is that why you were covering somebody else's position?---Yes.

THE COMMISSIONER: Yeah.

MR BAINE: Who would have been responsible for sacking you?---Emir.

Emir?---Emir, yes.

20 And Emir worked for SNP?---Emir works for, I'm not sure but he was, he was, he was a team leader when I first joined at the university and then he become a site, site supervisor.

So did Emir exercise quite a bit of power at the university?---He did, he did have, he did have quite a lot of power and he did sacked a lot of people over speaking up.

And did you have a good relationship with Emir?---No, no. At the, at the start obviously we talk as a colleague, but not outside, outside work.

30 And what about at work? Did you get along with Emir?---I did get along with Emir but not to the extent, because we raise up the issue because sometimes we have incident. We were tired? with the incident. We couldn't deal with it and then there was not enough guard to cover the, the specific location.

When you told the Commission a moment ago about working, for example, a four-hour shift. - - - Yeah.

40 ---That Emir allocated to you, would you work that four-hour shift while you were working your SNP 12-hour shift? Or would you do it before or after your - - -?---No, no, no. While, while we're working, while we're working we used to do that extra hours. Like SNP, university invoice the, invoice the SNP that this guard needs to be on for, for such an event, okay. For example, if there was two guards he used to put only one guard then the other guard they used to tell us okay, Emir used to tell us cover it with a patrol officer or cover it with someone else. So, for example, you go there and cover the position.

So do I understand what you're saying is that the university would put in a request for extra guarding services?---Yes.

And Emir would allocate people to work that shift and if you were working your 12-hour patrol shift for SNP. - - - Ah-hmm.

--- He could still ask you to perform that work?---Exactly.

10 And you would be paid by SIG or SNP for that work?---For the 12 hours, if it's my shift, it's my roster, I get 12 hours paid for SNP, but if it's overtime it goes towards SIG.

THE COMMISSIONER: So you were, you were, you might be covering for two people? That is, yourself and somebody else?---Correct.

But you'd be paid for two people?---Yeah, yeah.

20 MR BAINE: Now, Mr Amiri, did you submit time sheets to SIG where you claimed shifts that you did not actually work?---No, no.

THE COMMISSIONER: Are you sure about that?---Sorry, can you repeat the question again, please?

MR BAINE: Of course. Did you submit time sheets to SIG where you claimed hours for work that you did not actually perform?---That's what I just explained. The work, okay, how can I explain this?

30 THE COMMISSIONER: Just take your time, take your time.---The work, the work we did, okay, for example, today I'm a team leader for SNP.
THE COMMISSIONER: Yep., - - - working, working with SNP my full hours, and there was an extra shift available, for example, at one of the site, let's, let's say down in this room, there's a static position, somebody has to stay static. And then my role as a team leader to allocate another guard to stay in position and then Emir would have say, "Okay, cover this position," and not send a guard. That's all, did cover, that's, that's the, that's the covering. Okay, but always, with, with, with the, with the shift, I was there the whole time and - - -

40 Sorry, for SNP?---For SNP.

Yes, so, you were - - -?---Sorry, am I confusing or - - -

No, no. I think I know what you're saying. You were getting paid as though you were, how can I put it, you were employed there by SNP. - - - Yes.

THE COMMISSIONER: You were asked to cover somebody's shift and you were paid for both jobs?

---Correct.

Okay. But I think what counsel's asking you is did you in fact cover that job or did you not? I think that's right, isn't it?

MR BAINE: That's correct, Commissioner.

10 THE COMMISSIONER: Yes. I mean, were there occasions where you didn't cover it? I mean, they, they might have said they need a guard up at the library and you just continued to perform the job you were supposed to be doing, your 12 hours for SNP?---We, we cover, we covered both of them. I, I wasn't there personally at that location but there was a patrol officer, for example. If I was, if I was team leader at the time, yes, they could, I could have allocated a patrol officer to go to stand at that location and leave, leave the patrol officer job empty.

Oh, okay.---Okay?

Yes.

20

MR BAINE: So, there would be - - -?---Sorry, my English is not that quite well so (not transcribable)

THE COMMISSIONER: No, you're doing fine. Don't worry about it. ---Yeah, yeah.

MR BAINE: I understand. There are some hypotheticals I'd like to put to you though, Mr Amiri.---Sure.

30 So, for example, if a service request was received by the university. - - - Ah-hmm.

--- Where they wanted four guards to go and guard the library at the University of Sydney. - - - Yeah.

--- And are do, are you aware that sometimes only one person would go and work all four of those roles?---Yes.

40 And were there ever occasions where you would go and perform the work for four people?---I did it for sometimes, yes, but not, not very long. I did it for, for, sometimes I would say, I can't exactly tell you how many times I did it, but I did it, yes.

And - - -

THE COMMISSIONER: And, sorry, you go ahead.

MR BAINE: No, sorry, Commissioner.

THE COMMISSIONER: And did you get paid for four people?---No, no.

What did you get paid for?---I just got the pay the position I was allocated to.

Okay. - - - Yeah.

As well as your SNP work?---As well as the SNP work, yeah.

Yes, thank you.

10

MR BAIN: But that would then leave - - -?---Sorry, I'm sorry, let me clear something. Okay, the four days I'm on.

THE COMMISSIONER: Yeah.

--- Okay, it's only SNP, okay, overtime. Let's say that bracket after four, we get called for overtime, this is, this the hours that we, we covered. So, for example if I'm allocated to the shift for SIG, it wouldn't have been that I was working with SNP and SIG at both time on the same day.

20

THE COMMISSIONER: But what, when you're doing your four days, let's say on the first day you became aware that the university wanted four guards at the library and you didn't have four guards, what would happen there?

---They used to position one guard at the top and sometimes one guard at the bottom and that's it.

30

So are you, when you say they used to position, are you saying that you, you never covered both jobs yourself whilst you were at SNP, is that what you say?

---No. No, I never, I never covered while I was working with SNP, I'm getting confused myself. Okay. Can I grab a paper and a pen?

Sure, sure.---Please. Because I just swear on the Koran, so I don't want to make a mistake, you know?

No, no. Don't worry about that, we're just after the truth.---Thank you. Okay, hopefully you guys understand my writing. As a, as a team, team leader role - - -Yeah.

40

--- okay, team leader role sometimes we cover the shifts, okay. When, when, when team leader role finish and SNP shift finish and that four days off, four days on, and then becomes SIG. As a normal guard, I was not getting a single cent. I was just working the, the, the hours I used to work and then occasionally sometimes I might, I might get a four if they tell me to cover something else, for example, and I, I, possibly, I would have, I would have get some extra bit of money on it. Okay.

And just hand that to Mr, Mr Baine.

MR BAINÉ: Thank you, Commissioner. Thank you. Commissioner, I will tender this document, I'll seek to tender this document.

THE COMMISSIONER: Do you want to do that now? I suppose we should.

MR BAINÉ: Yes, perhaps, just.

10

THE COMMISSIONER: The document prepared in hand by the witness will be marked Exhibit 26.

**#EXH-026 – DOCUMENT WRITTEN BY GOL AMIRI IN THE
COMPULSORY EXAMINATION OF 17 OCTOBER 2018**

MR BAINÉ: Thank you very much. So I'd like to just put a few
20 hypotheticals to you, Mr Amiri.---Sure.

For example, if you were working your normal SNP team leader role. - - -
Ah-hmm.

--- Between 6.00am and 6.00pm. - - - Yeah.

--- And you receive a request from the University of Sydney for guarding
services. - - - Yeah.

30 --- At 1 o'clock and there's not enough guards to cover that work, would you
go and perform that work?---And that's, that was, that was Emir request that
come through us and say look, I've got this position needs to be covered, for
example, access. Okay. We used to get, they used to come and tell us,
okay, there, there's access here in this place. Send someone down or you go
and provide that access and that's it. Sometimes he never used to tell us
what, what access it is, whether there was a guard on-site, whether there was
no guard and then once, once we've become aware of it, we start asking
question, that's when he start, he start paying us with the, with the hours that
we used to cover the shifts.

40

So if, so the first question is would you do these extra requests, these
requests for services, when you were working your SNP 12-hour shift?---
Yeah, because we were told by Emir to do it - - - Yes.

--- and then we used to do it, yes.

And were you paid by SIG when you performed those requests for service?
---Yes, yes.

Okay, so it's possible that on one day where you were working for SNP and getting your 12 hour, or performing your 12-hour shift you could then be paid four hours for a request for service that you performed that Emir asked you to do?---Correct.

And then there would be occasions where you would work your full 12-hour shift, but then at the end of the shift you might work some overtime. Is that correct?---Yes, correct.

10

And who would pay that overtime?---The overtime the, the next day would be SIG.

SIG. And then there were also occasions where, is this correct, Mr Amiri, where you would have four days off. - - - Yeah.

--- And you would receive a request from Emir or someone at the university to come in and perform extra work. - - - Yeah.

20 --- And you would do that?---Yeah.

And who would pay you?---For overtime as I said SIG.

SIG.---SIG. Because at the beginning SNP refused to pay overtime. It has to go, everything has to go towards the contractor. If you're a permanent employee with SNP nothing gets through SNP overtime, okay. So for me I have to, I have to work overtime to survive, okay.

30

so one person is working it's not really easy.

So why did SNP not pay overtime?---I'm not sure. He says because he was paying too much because in order to pay for me overtime it was costing them at least \$52 an hour so instead of paying me overtime they pay the contractor. The contractor pays me \$22 an hour.

And who was it from SNP that told you to work for SIG?---It was Aaron, Aaron Lucas at the time when I started and Daryl, Daryl McCreadie.

40 Now, Mr Amiri, when you were working those overtime hours you used someone else's name?---Yes.

Okay. And did SIG pay you a higher hourly rate when you were working overtime?---My rate was 21 and then it became 22 and recently, before you guys raided the place, when I talked to him on the phone, as I said, I talked to Tommy on the phone, he, he was paying me \$24 an hour.

Right. When you would work a 12-hour shift and you would then stay, for example, for an extra three hours, that three hours of overtime what rate would that be paid at?---The same rate, \$20, \$24 an hour.

So you never received any more money from SIG for working on a Saturday did you?---No.

Or a Sunday?---No.

10 Or at night-time?---No.

All right. - - -It was a flat rate.

And what about public holidays?---Public holidays some people do used to get paid and if a person doesn't speak up it would just be a normal rate.

And did SNP pay public holiday penalty rates?---Yes, yes.

20 And did they pay weekend penalty rates?---Under, under, if I was rostered on that day with SNP, yes. Public holiday, weekends, Saturday, Sunday loading, everything.

And what about working a night shift, would you be paid more money for that?---Yes. Night shift with SNP I was getting paid normal night shift loading.

All right. So when I asked you before, Mr Amiri, about an example where a request for four guards was received. - - - Yeah.

30 --- By Emir and one guard only went to perform the work- - - Yeah.

40 --- There would be three guards who were not around, but do you know if three or four guards were invoiced to the university?---This is the question that Emir used to look after it and we, we never used to see the invoices, okay. We don't know how to contact direct with the invoice or university, whether the invoices was, used to go through university or not. All we used to told okay, this, this our position needs to be covered, can you cover it. Sometimes we, if there was not much pressure we used to say yes, but if there was a lot of pressure and a busy period of time we used to say no and then occasionally you might get another one guard or two guard in. For example, you said four. If there's four guard request and if we say no we might have put another two guard on top of it and said okay, you can, you can have this.

Who would have that, who would that go to?---Emir.

So do I understand from what you're saying is that if you went to work and cover four people you would get four hours of that work but the rest of the money would go to Emir. Is that correct?---Yes, yeah.

Right.---Not four hours. Sometimes six hours. Sometimes if I cover too many positions - - -

It depended on the job?---Yes, correct.

10 But were there any occasions where you claimed all of the hours for multiple people for yourself?---Yes, could be the possibility. I'm not going to say no because I know I didn't do it but I'm going to say yes just to be on the safe side.

THE COMMISSIONER: No, don't - - -?---Okay. No, no, I'm going to say yes because I never, I never claimed to the extent that, for example, five or six people but I'm going to say yes.

20 Why are you going to say yes?---I'm just going to say yes just in case if I made a mistake or something down the track.

THE COMMISSIONER: Okay.

MR BAINE: Perhaps, Mr Amiri, the best answer is just you can't recall. ---Yes, I can't, I can't recall. Yes, that's correct.

All right. And I just want to be abundantly clear though with my question, say the request was for four guards - - - Yeah.

30 --- for four hours. - - - Yeah.

--- That would mean that there was 16 hours in total but if only one person went to work that one person would claim the four hours that they worked but they might also claim the 12 hours which they covered. Did you know that that was occurring at the university?---Yes.

Okay. And there were, you can't recall whether or not you did that?---Yes, correct.

40 But there might have been an occasion where you did that?---Yes, yes.

But did you know that that practice was occurring frequently?---Yes.

And can you identify any people who were frequently claiming work or hours for work and pay for work that they did actually not perform?---It was mainly, mainly Emir. Mainly Emir because he used to, we, we used to get called all the time okay, because he used to be, for example, he'd go holiday every three months. Every three months go holiday and then still getting

paid while we working for him and then he used to say okay, this, this position needs to be covered and you need to cover it.

So Emir was still calling the shots while he was on holiday?---Yes, correct.

And he was still claiming that money while he was on holiday?---Yeah, yeah.

10 Now, was it Emir who came up with this scheme to claim work that was not actually performed?---Sorry, can you repeat your question again?

Do you know who came up with the scheme to perform work that was not actually worked?---Unfortunately I'm not sure.

20 Okay. - - - Because a lot of the time, they, they don't talk directly to us and I'm, I'm not sure who did come up with this sort of idea to, to claim the work while actually they not on-site and, and when I started, as I said before, when I was a patrol officer and control room operator, I was unaware of this stuff was happening. And then when I become a team leader, then I start getting way around and then, in the, in the control room and people not used to turn up and I used to see the names on the, on the time sheet.

THE COMMISSIONER: Were you aware of anyone other than Emir engaging in this practice?---Frank, Frank was.

Yes, that's Frank Lu, is it?---Yeah, Frank Lu. And I'm not sure, we didn't, we didn't talk to Daryl much, Daryl McCreadie, and I'm not sure whether he was part of it or not part of it, so I can't really answer this questions.

30 MR BAINE: All right. So who do you think knew people – sorry, I withdraw that. Who do you think knew about people claiming work and getting paid for work that they did not actually perform?---Who do I think knew?

Who at SIG knew about that?---SIG knew, so could, could be Tommy, could be Lynn, they, they would be aware of the situation what was happening.

40 And do you think that anyone at SNP knew?---I'm not sure.

Do you think anyone at SNP head office might have known?---Not exactly sure whether they known or not.

And do you think that people suspected people might find out about this? ---Yes, because a lot of, a lot of the people used to get fired up if they speak up on-site, as I said, as I mentioned earlier. Okay, so, for example if I go and stand, stand up in front of him and I said, "Look, what are you doing? It's wrong, don't do it," he used to go to the client, okay, "I don't want this

guy.” They used to say, okay, the client would say okay, see you later, for, because he was the right-hand man and then we would say okay, “You’re no longer required.” So, that’s why on this purposes, we has to stay basically, I don’t know if this is the correct word, shut our mouth and just, just continue with the work.

So, you’re talking about Emir, aren’t you?---Yeah, yeah.

10 And who was the client?---Client, client is Dennis Smith.

Dennis Smith.---Yeah.

All right. I might ask you some questions about the client and Dennis Smith in a moment but did you suspect that anyone would ever find out that you were using other people’s names to claim overtime work?---At the time we were scared we, we knew somebody was going to find out and we basically brought up the question in a meeting with him, we said, that this is not the right thing. I don’t know if he going to stop, he goes, “No, I’m going to continue.”

20

And that meeting was with Emir?---Yeah, yeah.

And did anyone from SNP check that you were on-site during your shifts? ---Night shift, SNP supervisor comes around just stay in the control room for five/ten minutes and then just leave.

Right. And recently they used to come around and check the time sheet, whoever was on, they used to go to the specific location, check the position of the guard and they leave.

30

So your experience was that the night shift supervisor would only come into the control room?---Yes.

They wouldn’t go around the campus to see - - -?---They wouldn’t get out around the campus, yeah.

- - - if guards were on-site?---To go, guards were on-site or no.

40 All right. And would Daryl have known that this conduct was occurring? First of all the conduct of using other people’s names and then also claiming hours that were not worked?---I don’t know about Daryl much because as I said, our point of contact was Emir. So Daryl could be aware of it, could be not aware of it.

And what about at the University of Sydney? Would anyone at the University of Sydney have known that people were using names of other people to claim overtime?---They could have suspected it but I’m not, I’m not aware of the, the such that they were aware of it.

And do you think anyone at the University of Sydney would have known that people were claiming and being paid for work that they did not actually perform?---I'm not sure.

Now, you mentioned Mr Dennis Smith previously. What was his role at the university?---His role, he is the security operation manager.

10 And did you have much to do with him?---We used to tell him all, all the about incidences and all about the, whatever was happening on-site, we used to relay it to him.

And did you, did he oversee your work? Would he supervise your work from time to time?---He was, he was on-site from 6.00am in the morning until 3.00 or 4.00, I can't really recall what time he would, used to leave, it was, he was leaving but he was, he was, to my knowledge he was monitoring.

20 And do you think he knew about the matters that we've been speaking about?---I'm not sure.

Do you have any suspicion that he might have known?---Not sure. He could have, he could have not. Yeah.

And what about anyone else in the Campus Security Unit or the Campus and Infrastructure Services?---I'm not sure.

30 All right. Now, how did you get paid by SIG for the work that you performed?---We used to get weekly, weekly paid, we used to go down the office and collect the cash money and yeah.

So, you were paid in cash, were you?---Yes.

The cash that you received, do you know whether or not you were, that was the subject of superannuation?---I was, I, I did provide everything as I said, on the application, I provided tax file number, everything, so basically when I collect the cash money, at, at the point I wasn't aware whether he's going to pay anything to the super or tax and then used to give us the money.

40 So you don't know whether or not you were being paid super, is that the position?---Yes, correct.

And do you know whether or not you were paying tax on the cash?---That's correct, because I provided, as I said, I provide everything for him, the stuff that is required to provide, we provide it to him. He's, he had all my detail.

So your expectation was that SIG would withhold the relevant portion of tax and superannuation?---Correct.

And you would then just take the cash?---Yeah.

All right. Now, approximately how much cash would you have been paid per week?---Varies. Could be, could be \$1,000 a week, could be \$1,700 a week, could be \$900 a week, could be \$500 a week, depends on my workload. Depends how, how many hours we used to do.

10 And was it ever deposited into your account?---Once or twice, yes.

But mainly you would take the cash and would you deposit it into your account?---Yes.

All right.---Yeah.

And where would you collect the cash from?---It was, at first, where was the office?

20 Was it at Mascot?---The first location was Mascot and then they changed the Mascot location.

To Rockdale?---To Rockdale, correct.

And did you ever pick up cash from the University of Sydney?---Yes.

And was that because someone had gone to either Mascot or Rockdale and collected the cash?---Yeah, correct.

30 And did you receive your cash in an envelope with your name on it?---Yes.

And was the money always there?---Yes.

And were there any incidents with guards taking other people's money?---No.

And where would you collect the cash envelope from when you were at the University of Sydney?---At the University of Sydney, there was, inside the, inside the control room on the second drawer.

40 And it was in a locked drawer, was it?---No, the drawer was unlocked.

Right. But you would just go to the drawer?---You'd just go to the drawer in the presence of someone and just collect your envelope and leave.

Was that drawer in the control room?---Yes.

All right. And did you, and, and I presume that you did not declare that tax because you assumed that SIG were paying tax on that?---Correct, correct.

All right. Now, just very quickly, Mr Amiri, I asked you some questions before about cheques that Mr Dennis Smith or anyone at the – or sorry, cheques that SNP might have done while you were at the university. Did anyone from the university ever check that you were on-site and actually performing the work?---Not sure.

10 And did Dennis Smith ever come around and check that you were on-site performing the work?---Not sure as well.

And when you say you're not sure, you can't recall?---I can't, I can't recall, correct.

All right. Now, did you ever receive any gifts or benefits in the form of gift cards, flights, accommodation or restaurant vouchers from SIG or Tommy?--No.

Do you know if anyone did?---I'm not sure. I can't recall. I'm not sure.

20 And I'd like to ask you some questions about the time sheet.

THE COMMISSIONER: Just before we go there, did you ever hear it suggested that Tommy may have been paying anyone to make sure that he could keep the contract?---Keep the contract?

Yes.---I'm not aware of that such - - -

30 That's okay.---Yeah. Because as I said, we, we are limited to the information. They not passing anything to us that is not relevant to us.

Sure.---Okay. We were just there to perform the duty of work. Whatever was, dealing with the incidents happening at the university ground, that was our job. This is the different part that we were not, unless you're a part of the management you probably would be aware of but if you're not part of the management I don't think they would have told you.

Thank you.

40 MR BAINE: Thank you, Mr Amiri. Now did you, I'd like to ask you some questions just about time sheets.---Sure.

I'll show you some documents shortly.---Sure.

But do you agree that there were two documents, there was first of all a site time sheet which contained the names of all of the people working on-site on any given day?---Yeah.

And then secondly, there was a document that you would send to SIG administrative staff on Monday each week?---Yeah.

And that was called a personal time sheet?---Correct.

And that's because it reflected the personal hours that - - -?---Yeah.

Or the hours that you'd worked personally for that week?---Ah hmm.

10 So, Mr Amiri, when you arrived at the beginning of a shift, did you sign the time sheet, the site time sheet?---The site time sheet. On my shift or overtime?

For your shift.---For my shift I did sign it, yes.

And what about overtime?---Overtime, no. Emir used to look after it.

20 Right. Now, when you say - - -?---And sometimes I write it down but a lot of the times Emir used to write it down and fix up the time sheet. He used to say okay, don't, don't say, don't write anything. I'll fix it up.

And what about when you arrived on one of, for, for work on a day that you were not rostered - - - Yeah.

--- to work, who would sign the time sheet?---If it, if it was under my name I would have signed it but if it was under different name it could be Emir or Frank would be signing it.

30 All right. So you would just rock up on-site and work the shift, you wouldn't record your attendance that day on a time sheet?---If it's my shift and my name I would have recorded but if it's someone else's name, no.

Thank you. So did you ever ask anyone to sign the time sheet for you?---If I forget under my name I would have asked someone to, to, to sign, sign me in and sign me out.

Were there ever occasions where you worked at Kirkbride?---Yes.

40 And when you worked at Kirkbride were you usually working under your name or under someone else's name?---When, when there was protest on I was working under someone else's name.

All right.---Yeah.

But you would go out to Kirkbride - - - Yes.

--- when you were performing your normal SNP shift?---Yes. As I, as I said, every time that we were on shift we have to go because sometimes

there was only one guard because if that one guard didn't turn up because we got a lot of, a lot of incidences happening, so let's say there was a five guard position that day and none of them turned up obviously the position is going to be empty so that's why we, we have to attend to the, to the site.

But maybe one person could attend to the site - - -?---Yes.

10 - - - and cover all other, all of the five roles?---Correct, and also this Kirkbride we wasn't, we wasn't aware that there, there was such thing, that there was, for example, there was, there was three guards each day or 24 hours. All they used to tell us okay, you're covering this shift at Kirkbride.

Right. - - - That's it. It could be we used to go down there, the permanent guard used to be there and then if I was there I was the second one, the extra guard or if someone else is there, that's it.

So who would tell you to go to Kirkbride?---Frank.

20 And Emir too?---Frank and Emir, yes.

And when you were out at Kirkbride for the protests, were there often more than four guards?---I used to only see myself and there was, as I said, the permanent guard.

So your evidence is that even during the very busy student occupation period the only guards that you saw when you went to Kirkbride was yourself and the permanent guard?---At the beginning of occupation there was, there was four.

30 What do you mean by that?---Four, there was four guards.

Four guards?---Okay. Like, for example, two or three, I can't recall, but there was two/three during a short period of time.

Right. - - - And then after that they just dropped.

40 Right, okay. So if the protest went for six weeks perhaps, for argument's sake, the first week there was two or three guards but by the later stages there was the one permanent guard and then another guard who Emir or Frank had asked to go out to the site?---Yeah.

Okay.

THE COMMISSIONER: How long did that occupation last for approximately?---I can't recall as well but it could be between two or three months.

Thank you.

MR BAIN: Now, at the end of the shift would you sign off when you were working your normal 12-hour SNP role?---Yes, yes.

And what about when you were working overtime or using someone else's name?---That would be, that would be under, under Frank or Emir that they used to fill out the time sheet.

10 Right. So you, if you're using someone else's name, would never sign the time sheet?---No.

Frank or Emir would do it?---Yes.

When you use someone else's name on the time sheet, do you know if Frank and Emir forged the signature of that person?---I'm not, I can't, I can't recall because he used to send us a text message this is, this is the name, so I'm not sure whether he sign it or not sign or just leave the signature blank.

20 So even though – I withdraw that. You would be told the name - - - Yeah.
--- that you would be working under?---Yeah.

But you never did anything with that name?---No.

So you never signed it onto the time sheet?---Sometimes I sign it, sometimes I don't.

Okay. - - - Yeah.

30 But most of the time it was Frank and Emir?---Most of the time it was Frank and Emir.

All right. And who would give you the name?---Frank, Frank and Emir.

Oaky. And did Lynn Li or anyone from SIG ever give you the name?---No, no. Occasion, occasionally. Could be one or two times.

All right.---One or two times, yes.

40 Okay. Now, I asked you whether or not you would send a personal time sheet to SIG each week.---Yeah.

You would?---Yes.

And why did you do that?---To get, to get, to get paid for the hours, to get paid for the hours we worked.

And that was the way that SIG were able to record the hours that you had worked for SIG?---Correct. Yeah.

Now, did you ever get told by anyone at SIG that the hours you had claimed clashed with another guard on-site?---No.

10 So you never received any information from Emir or Frank or any of the SIG admin staff?---One, one time, one time which is, which is Lynn said that the hours I claimed, okay, that wasn't my shift, that was for the, for the, another location and then she, she called me. She goes oh, these, these hours is already claimed by Emir so you can't get anything.

Right.---Yeah.

And on that occasion did you use someone else's name or did you just not get paid?---I didn't get paid. Obviously as I said, as I mentioned earlier, the names was up to Emir and Frank to fill it out.

20 Right. Mr Amiri, I'd like to show you some documents.---Sure.

THE COMMISSIONER: Did that happen more than once that, that you actually worked a shift and Emir claimed what was really due to you?--- Sorry?

I think what you said a moment ago was that there was an occasion where you had carried out work but Emir got the money.---Yes.

Did that happen more than once?---It happened a lot, yeah.

30 It happened a lot, did it?---It happened a lot, yeah.

Thanks.

MR BAINE: Thank you. Now, Mr Amiri, could I ask you to go to page 1 of the documents in front of you.---Sure.

40 And you'll see that it's an email on 28 August, 2016, and it's an email from you to SIG and it attaches – if you turn to page 2 – your personal time sheet. Would you agree with that?---Yes.

And you can see in the personal time sheet you have identified the work that you have performed. Now, are these the hours that you worked for SIG for that week?---Yes. Yes.

And only SIG for that week?---Only SIG because these, these hours I mentioned, I used to be on the site 6.00, 6.00 to 6.00, 6.00am to 6.00pm, and then continue - - - Yeah.

--- continue the next, the next day or the next, that, that, that, that night from 6.00am to 6.00pm and then start again from 6.00pm to 6.00am.

Okay. We might get to some examples like that.---Yeah. Yeah.

But, for example, if you have a look at the Wednesday, 24 August, do you see in the row marked 1 it says you worked from 0600 hours to 1800 hours. ---Yeah.

10 That was a 12-hour shift and it was a patrol shift.---Yeah. Patrol shift.

Is that a patrol shift that you would have done for SNP?---No, no, no, this, I'll explain to you this patrol shift. What happened, back then they used to pay one-hour travel time from Kirkbride to get back to base and sign off. Okay? That, that day, that two hours from 18 to 2000 hours, because the guard came late so that's why there's, there was an extra two hours for it, because instead of arriving at 6 o'clock the guard arrived possibly at 8 o'clock or 7.40. That'll be by the time we come to the control room and we put the two hours extra.

20

Okay. So this patrol shift, though, was a SNP patrol shift?---No, no, no.

Sorry, SIG.---It was patrol shift, SIG shift.

I see. Sorry, thank you. Now if you look down on Thursday, 25 August, you'll see that there is a shift called CMS. What's that?---The control room operator.

30 Thank you. And you'll see on Friday, the 26th of August that there was a 14-hour shift at Kirkbride. Is that 14-hour shift including the two hours of travel time?---No, no, no. This is 14-hour shift straight.

So that's quite a long shift.---Yeah.

All right. And was it common that you would work those 14-hour shifts?---Yeah, yeah.

Did you ever perform bus driving shifts?---Bus driving shift. I may have be. I can't recall.

40

But are you licensed to drive the bus?---Minibus. Not the, not the big bus. The minibus.

And do you recall whether or not you drove a bus at the end of a 12-hour shift?---No. No.

So as far as fatigue management - - -?---I could, I could be driving it to, because I took the bus to Camden. I might have done it, so I can't recall it, yes.

All right. So there might have been occasions where you, during your 12-hour shift, drove the bus. But do you recall if there were occasions where you drove the bus outside of your 12-hour shift, either before or after your 12-hour shift?---Maybe.

10 Maybe. All right.---Maybe.

Thank you, Mr Amiri. Could I ask you to turn to page - - -

THE COMMISSIONER: Just before we do, could I just ask you about the entry for the 27th of August. One of the entries there under location is "Under Hanna". Do you know what that means?---Yeah, that's the name of the person.

20 The name of what person?---Sorry?

The name of what person?---That Hanna, Hanna name. They used to text us, "Okay, you'll be working under this name."

Okay.---Yeah.

So you were working under somebody else's name?---Yes.

Yes. Thank you.

30 MR BAINE: Mr Amiri, would you turn to page 3. What you'll see is this is just a document that's been prepared by the Commission, and it's just a table that summarises the hours that you have just described in an Excel spreadsheet form. I might return to it shortly, but I just wanted to draw that to your attention. If you turn to page 4, Mr Amiri, I'm going to show you some entries on the site time sheet, which were the names that were used by you according to the site time sheet that you sent on page 2. You can see on page 4, the second entry down, it says "control room" and the name is Nader Gad. - - - Yeah.

40 --- From 0600 to 1800 hours. Now, that's a shift that you had claimed to have worked. Is that your signature?---Yeah.

It is. Okay. Now, there's no security licence number. Do you know why there's no security licence number?---We wasn't provided with a security licence number.

Now if we turn to page 5, there are two entries here. The first one you have used your own name. You'll see that in about the middle of the page. It

says Gol Amiri. It appears as though you've included your security licence number. - - - Yeah.

And is that your signature?---Where my name is?

Where your name is.---Yes.

All right. Now if you go down to the second-last entry, above the one that's been scratched out, you see the name Jason Bataineh? - - - Yeah.

10

Now, that's another name that you used. Is that your signature there?---
From my understanding, this is not my writing, but – the writing and the signature is not mine.

Okay. All right. So this, is it your evidence, is an example of possibly Frank or Emir or someone else - - -?---Yeah.

- - - signing your name and signing on your behalf. All right. Thank you.
Now, I'll just draw your attention to the fact that if you add the hours that
20 you have worked on this day – from 0900 hours to 1700 hours – under your name, and then from 1700 hours to 0100 hours, that is a 16-hour shift.
---Yeah.

Now if we turn to page 6, this is the Wednesday. It appears as though you have slept for five hours and you have returned to the university, and between 0600 hours and 1800 hours you've worked a full 12-hour shift.
---Sorry, which one am I looking at?

30

Just on page 6 where it says, five rows down, “control”. It actually only says “OL”. It's marked on the screen.---Yes.

So you started work at 6.00am on this occasion but you'd finished work at 1.00am, some five hours earlier. Would you have gone home and slept or would you have slept on-site at the university?---Maybe I slept on-site.

Was that something you did commonly?---Yeah.

Okay. And where would you sleep?---Slept basically most of the time in the car or in one of the rooms, one of the meeting rooms.

40

And when you slept in the car, was it your car or was it one of the patrol vehicles?---Personal car. My personal car.

And when you slept in a room, was it in the Campus Security Unit or was it in- - -?---Within the Campus Security Unit.

Okay. - - - Yeah.

Now, if we turn to page 7, I'd like to draw your attention to two shifts. The first one is three lines down, which is worked under your name.---Yeah.

Between 18, oh sorry, 0600 hours and 1800 hours. And then second one is another shift that you identified to have worked in your personal time sheet, using the name of Nader Gad. - - - Yeah.

10 That's listed under the night shift on control room and that's between 1800 and 0600 hours. So you, Mr Amiri, on this occasion, you've been on-site for 24 hours.---Yes.

Would you have slept during that time?---Could be. The, the longest we slept for, what, because these two, two shift needs to be covered, there's no ifs or buts. Patrol shift and the control room operator. So, would have stayed, I stayed there in the control room, I would have stayed there for two, two/three hours.

20 All right. And if you were sleeping during the control room, would anyone have seen you sleeping during that time?---I wasn't, I wasn't sleeping in the control room, I was basically, sometimes I slept in the traffic room next to it, next door.

So would that meant, would that have meant that the control room was unattended while you were asleep?---No, no, no, no, no. Always, the team leader takes over and then the CMS operator will go have a, have a rest, have a nap for one or two hours.

30 So, right. In an example like this, you were able to work a 24-hour shift because possibly the team leader, Frank Lu on this occasion, could have covered while you were having a sleep?---Yeah.

Okay. Now, if - - -?---We never used to leave the control room unattended. It was very critical, because you get calls 24/7. Any, anything could have happened if the control room is unattended, so it's, yeah.

So your experience is the control room was always attended?---The control room was always attended, yes.

40 Thank you. Now, if you turn on to page 8, you'll see that on Friday, 26 August, 2016, four rows down, there's a patrol shift which you have worked under your name. Now, do you recognise that signature to be your own? ---Yes, it is my writing and my signature.

Mr Amiri, in fairness to you, this is a shift that you did not identify in your personal time sheet on page 2. Would that be because this is an SNP rostered shift?---No, no, no. This is not SNP roster shift but - - -

If you'd like to have a look at the time sheet in page 2, your personal time sheet on page 2, you just might see that there's no indication that this shift was a shift that you were claiming payment for from SIG?---What date is it? 26th. Okay, so I've gone, I've gone to Kirkbride and instead of doing patrol, so they send me down to Kirkbride to cover the shift at Kirkbride.

10 So, I'm, I'm not trying to trip you up at all, Mr Amiri, I'm just trying to explain. If you go to page 9, you'll see that towards about seven rows up from the bottom, the name Mohammad Khan has been listed, who was at Kirkbride and that's the name of the guard that you have indicated you used in your personal time sheet. So, is it possible that on this day, you worked a 12-hour shift in the morning for SNP and then in the evening you went to Kirkbride?---Sorry, just give me a second.

Would you like a pencil, Mr Amiri, to mark the, the rows that I'm talking about?---No, no. It's okay, I can read it. Possibly worked the both, both shift and then I must, I must have forgot to put it, put it on the time sheet.

20 Okay. So, my question is, just directed to, by this point if you worked the morning shift from 0600 to 1800 hours. - - - Yeah.

--- and then the shift at Kirkbride, you have been on-site over two days for fifty two hours.---Yeah.

During that period you would have slept, would you?---I wouldn't have slept, yes.

30 And you've said that when you were in the control room, you could sleep because the team leader could substitute in and cover for you.---Yeah.

But what about when you were at Kirkbride? Was it possible that you could sleep on a 14-hour shift at Kirkbride?---Yes, possibility, yes.

So, do you think that on this occasion you would have rested during this 52 hours that you've been on-site at the university?---Yes.

And you did work this work, did you?---In one week, 52 hours?

40 In two days, 52 hours.---In two days, 52 hours?

Yes.

THE COMMISSIONER: It's a lot hours, isn't it?

MR BAINE: It is, Commissioner. And to be fair, Mr Amiri, it actually continues on to the Saturday, where if you go to page 10, the fourth shift down on page 10 is a shift in your name. Do you recognise that as your signature?---Yes, that's my writing.

And so that is also a 12-hour shift.---Yeah.

10 And then on the next page, on page 11, this actually appears to be the shift that the Commissioner was asking you about, under the name of Hanna and that is, you can see at the bottom, under the Fisher Library extension. So, by the time that you've, just reading the time sheet, by the time that you'd finished working this shift under the name of Hanna Korem, at 0500 hours on Sunday morning, you'd been on-site at the university for 76 consecutive hours. So, my question is just would you have worked 76 consecutive hours?---Sorry, can I just go review quickly?

I can.---And then - - -

And if it would assist, if you'd like a pencil just to mark the sheets.---Yeah, yeah, sure. Because I can't, I cannot recall that I was on-site for 72 hours.

20 Okay. Well - - -?---Yeah, so I'm just, I'm just going to see if I was, I was, trying to recall as much as I can.

I understand.---To see if I was actually on-site at that hours.

I understand, Mr - - -?---But I was, I was there for three days, I know, I'm not denying that by for 72 hours, I'm not sure.

Well, I'll just show you the shifts very quickly. So, if you go to page 7, the first shift is three rows down and it's a shift under your name, Gol Mohammed Amiri.---Yep.

30 And then a few rows below that, you'll see Nader Gad, a control room night shift and then if you turn to page 8, you will see your name again, Gol Mohammed Amiri. That is four rows down. Do you see that one?---On page 7?

Sorry, on page 8.---Yeah.

40 So that's up towards the top. And this shift, I'll just draw your attention, is not a shift that you had recorded in your personal time sheet.---Which, which shift I didn't record on the personal time sheet?

So this, this shift here on the 26th of August.---26th of August?

Yes. On page 8. This was a shift that was not recorded in your personal time sheet.---It's either I forgot to put it on a time sheet or either Emir or Frank would have, would have claimed it.

So they might have used your name?---Yeah.

Okay. - - - Yeah.

All right. Well, thank you. Just if you want to mark that one. And then if you go over to page 9, you will see, approximately eight rows up from the bottom, the name Mohammad Khan, and that is a shift that you have identified as working. Now if we turn to page 10, this is a shift under your name, four rows down, on Saturday, 27 August, 2016, on page 10.---Yeah.

10 And that's your name. Now, this is also a shift that you have not claimed in your personal time sheet.---Yeah, possibly. These, these are the hours that if I didn't claim, that means they work, they work under me and somebody else claimed for it.

Okay, all right. So the final thing that I just wanted to draw your – actually there's two more. There's one on page 11, which is Hanna Korem, which is down the bottom, in the Fisher Library extension.---But I claimed these hours?

20 You claimed those hours, yes.---Yeah, then I worked for it. If I claimed it, I worked for it. Yeah.

Okay, all right. So just for completeness, Mr Amiri, if you turn over to page 12, you will see at the bottom of the nightshift the patrol was performed by you, Gol Mohammed Amiri.---Ah hmm.

Do you recognise that to be your signature?---Is that okay if I take my licence out that I can see my signature?

30 Sure.---Yeah. Because I'm not sure whether, whether this is my signature or not signature.

THE COMMISSIONER: What about the handwriting for the name?---The handwriting, it is me.

Thank you.

40 MR BAINE: Thank you. So as you can see, Mr Amiri, certainly by the Saturday on page 11, by the time that the Hanna Korem shift has concluded, as I mentioned before. - - - Yeah.

---That is 76 hours of consecutive work that could be attributed to you. Now, do you have a recollection about working 76 consecutive hours?---I can't recall. As I said, I can't recall I did 76 hours because that's a lot of hours. And by the look of this, as I mentioned earlier, that could be the hours that it's under my name, they worked for it and they did get the money. And the hours I worked for someone else's, they might have put it down, okay, today don't put this under your name. Put it under this person

name because your name was already used. So could be that, the possibility.

And if you were on-site for a 76-hour shift, you would need to sleep, wouldn't you?---Yes.

And eat and probably shower and take care of some other personal affairs. ---Yeah.

10 And was there ever any occasion where you did work excessive hours consecutively?---Every day.

Yes.---Yeah.

And if you were working every day, how many hours approximately would you be on-site working for?---I could be doing three days straight in a row, day and night.

20 Okay.---Or two days or four days straight, day and night.

And how would you do that?---You'd just get a couple of hours sleep here and there.

All right. So possibly as you described earlier, where the team leader would take over while you were having a sleep.---Yeah.

Okay. All right. Thank you very much.

30 THE COMMISSIONER: Mr Baine, did you, I think you said that there was a period of 52 hours over two days?

MR BAINE: That's correct, Commissioner.

THE COMMISSIONER: What two days were they?

MR BAINE: So by the time that, on page 9, the shift of Mohammad Khan had concluded. - - - Yeah.

40 52 hours of consecutive work had been claimed.

THE COMMISSIONER: Okay. Where, where do we start that?

MR BAINE: So that starts on page 7 with the patrol shift of Gol Mohammed Amiri three rows down and then runs to the control room shift performed under the name of Nader Gad, which is four rows down on page 7.

THE COMMISSIONER: But that's a period of three days, isn't it?

MR BAINE: I think not, Commissioner, because if we then go to Friday morning, we have a 12-hour shift - - - Yeah.

--- taking us to 36 hours, where the name Gol Mohammed Amiri has been used on page 8.

THE COMMISSIONER: Yes.

10 MR BAINE: And then if we go to page 9, the shift of Mohammad Khan is a 14-hour shift at Kirkbride and – that goes to 50 hours, not 52. My apologies.

THE COMMISSIONER: That's okay. Because in two days there's only 48 hours, isn't there?

MR BAINE: That's correct.

THE COMMISSIONER: So - - -

20

MR BAINE: That's correct. So you would agree, Mr Amiri, that it would be impossible to work 50 hours in a 48-hour period, wouldn't you?---Yeah.

THE COMMISSIONER: But I think the point you've been making is that you don't quite know whether somebody was claiming on your name. ---That's what I'm trying to figure out here on this, on this page to see what, what hours I did because I can't, I can't recall it. But these hours, CMS operator, yes, I was there. And this second CMS, both day and night I was there. That's definitely confirmed. Patrol guard, I was there in the two
30 hours, Kirkbride. I was there, as I mentioned, the travel time. The 25th, patrol and a CMS operator, yes. And then on the, on the 26th from 17 to 0700 hours, that's for 10 hours, I've gone to Kirkbride instead of doing patrol. So somebody else claimed the patrol for me.

MR BAINE: Okay. - - - Yeah. So I'm not sure who, but somebody else claimed the patrol.

MR BAINE: All right. Could I ask you to turn to page 13. Now, in
40 fairness to you, Mr Amiri, you would not have seen this email before but it concerns you. It's an email from Emir Balicevac to SNP Security, where it attaches a leave form. This is dated 15 September, 2016. Do you recall this leave application?---Yes.

And do you recall if it was approved?---Yes.

And do you remember where you went for that leave?---I didn't go anywhere. I was working.

You were working?---I was working.

So why did you apply for leave if you were working?---I was just under financial budget. I just wanted to get some work done and then work.

So how, how would that have worked? You would have still drawn your salary from SNP.---No, I was getting annual leave and work, work under different name for - - -

10 For SIG?---Yeah.

Okay. So, when we turn to page 14 – or would you turn to page 14 and you can see that you’ve applied for nine days of leave and that’s between the 30th of September and the 16th October in 2016 and that was approved by Emir.-
--Yeah.

If you then turn to page 15, you’ll see that on the 10th of October, 2016 you have submitted a time sheet to Maggie, who was one of the SIG admin girls, is that correct?---Yep, yep.

20

And you’ve claimed 36 hours of work. So, three 12-hour shifts.---On the 16?

On page 15. Do you see that, that on the 10th of October. - - - Yes.

--- you’ve made a claim for approximately 36 hours of work?---Yes.

Now, your evidence is that you were on leave from SNP at that time but you were actually working for the university - - -?---Working, working.

30

- - - at that time?---Yes.

Okay. And if you turn to page 16, you’ll see the same thing again, where you have worked for approximately 60 hours during the period in which you’re supposed to be on leave and you have submitted your time sheet to Maggie at SNP and she has forwarded that to SIG in this email. Which again, in fairness to you, is not your email but I’m just asking you to comment on it. So, your response, Mr Amiri, is that you were on leave at this time, from SNP but you were actually working for SIG?---Yes.

40

All right. Now, would you turn to page 17. And the document on page 17, can you identify what this is?---This was the weekly, weekly payment we used to receive.

So when you received an envelope full of cash, you’d sign for it, would you?---Yeah, yeah.

Is that your signature?---Oh, just a scribble, this is not my signature.

But - - -?---But I was there that day and collected that money.

Okay. All right.---Yeah.

So would someone have signed on your behalf or is that just - - -?---No, no, no, no. This is, that's, that's my name, yeah, that's my name and I probably just scribbled it and that's it.

- 10 Okay. All right. So, right, the process was you'd just sign one you'd picked up your envelope?---Yeah, yeah.

All right, thank you.---That's, that's for picking up everyone's envelope. Yeah.

Okay Thank you. Now, Mr Amiri, would you turn to page 18. This again is not a document that you would have seen before, but it's from Linda who you would recognise to be one of the SIG admin girls?---Ah hmm.

- 20 And she has forwarded it to SIG on the 2nd of October, 2017, and if you turn to page 19 you can see that it's a screenshot of the hours that you have forwarded to her.---Yep.

And this was something that you commonly did, wasn't it?---Yeah.

Yes.---Yeah.

And that would be each Monday?---Each Monday, yeah.

- 30 Okay. Thank you. Now - - -?---Yeah, every Sunday and Monday we used to send the time sheet.

If you go to page 20, once again this is not an email that you would have seen before but it's an email from Amy Wang, who was another SIG admin member and she has forwarded this to SIG. It's on the 26th of February, 2018, and you have identified to her that you had worked 85 hours. Is that correct?

---85 hours, yes.

- 40 And this was at the beginning of this year. Do you recall submitting this time sheet?---This time sheet, yes.

And this 85 hours, is that in addition to the work that you did for SNP?
---Yeah.

So - - -?---Some of, some of them. Some of them.

Do you recall why it was so busy at the beginning of the year?---Yeah, yes.

Why was that?---Because there was additional guard, there was, that could be for the, for the open day because there was a lot of guard on-site and I, I was probably the team, team leader that day and I, I covered these shifts.

Okay, all right. - - - Yeah.

THE COMMISSIONER: If you look at the first entry there for Monday the 12th, it says, "Between me and Frank." Do you know what that means?
10 ---Yeah, could be six hours for Frank and six hours for me.

MR BAINE: Did you commonly share shifts with Frank and Emir and anyone else?---Yes, yeah.

Right. And why was that?---Just covering, covering the shift for them.

Okay. - - -Yeah.

Now, if you turn to page 21, Mr Amiri, this is also an email that you would
20 not have seen before but if you look at the email from Daryl McCreadie on 23 March, 2018, to Phil Tansey and Linda Willard, in the third sentence it says, "SNP employee Gol Mohammed Amiri advised me in general conversation that he was rostered 22 hours straight at the Opera House for New Year's Eve 2017/2018." Do you recall that?---Yeah, yeah. That was, I was working direct with the university.

And you were rostered on for 22 hours?---That was for the New Year's Eve and I was the supervisor, so basically, I went 5.00 in the morning until the
30 next day.

So, did SNP - - -?---From 31st, from 31st of, 31st of that date until the 1st of January.

So, did SNP pay you overtime and public holiday penalty rates?---SNP paid me but they paid me the whole lump sum, so they didn't basically identify that is for, exactly for the 22 hours or 25 hours.

And did you volunteer to do this work?---Yes.

40 And because you're an SNP employee and SNP has a contact with someone at the Opera House on New Year's Eve, that's why you were able to do this work?---Yeah, yeah.

Now, if you worked for 22 hours, would you be quite exhausted and tired?
---Yes.

And that would be the case as well if you were working a long shift at the university too, wouldn't it?---Correct.

And did that ever impact on your work, when you had to back up the next day and do another long shift?---Yes, it did but we, we had to do it. As I said, only as a, I personally got no choice. Basically have to work these hours in order to support, okay, yeah. So - - -

Yes, I understand. All right. Now, if you turn to page 22, you will just see that this is a summary prepared by the Commission of the wages that you were receiving from SNP from the 7th of January, 2016.---Yep.

10

Just having a look very quickly at those numbers, does that look correct to you?---Yep. That all correct.

And then it continues on to page 23 and then if we turn to page 24, this is then a list of the cash deposits that you have made in to your bank account. This is also a document that has been prepared by the Commission and it starts on, as you can see, the 7th of January, 2016, and it carries through until the 2nd of June, 2018. Now, you can see that there are a number of cash deposits. Would you have been depositing cash in to your bank account for anything else other than work for SIG?---Yes. I've also got \$840 cash deposited to my account every fortnight for my investment property.

20

Okay. - - -Yeah, that is because I rent that out through my dad and he's just paying me, pays the direct deposit in to my account every fortnight.

Okay. And if we looked at say 23 September, 2016 there's a deposit of approximately \$4,750. Can you identify what that might have been in relation to?---I can't recall it but it wasn't, it wasn't over money, it wasn't over from SIG money.

30

It wasn't from SIG?---It wasn't from SIG. It could be, could be, because I went to Melbourne that day, not that day, that, I went to Melbourne sometimes but, because one of the relatives was buying the car okay, and I don't know if you guys saw there was some 11,000 or 12,000 I transferred to another bank for buying a car.

For a car.---For a car, yeah. So it could be, I'm guessing it could be that, that money so I can't, I can't recall it.

40

So do your recall if there were any periods where you received bigger than usual cash from SIG because you were working more, more hours than normal?---Sorry, can you repeat your question.

So if you turn onto page 25, for example, Mr Amiri, and if you looked at say 26 March, 2018 and there was a deposit for \$2,000 would there ever have been occasions where you were getting large cash, when you were making large cash deposits from money collected from SIG?---Which date was it?

On page 25, the 26th of March, 2018.

THE COMMISSIONER: Four lines from the bottom.---Yeah, yeah, could, this, this is possibly from SIG.

MR BAINE: SIG.---Yeah.

So there were occasions where you'd get big envelopes of cash from SIG?
---Yeah.

10

Possibly, you know, \$1,000 or, or more for the hours that you've worked?
---Mmm.

20

All right. Now, Mr Amiri, I've asked you a number of questions about - - -
?---Sorry, just give me a second. Most of this money it could be, if they
would have the timing it would be great because it could be coming,
because I do go and gamble and it could be, could be coming out from, from
gambling as well. Okay. I've lost a lot of money into it and I've, yeah. So
it could be that night I won money or that day I won money and I deposited
this, this amount but there was, there was occasion that I was getting, I was
getting money from SIG, like two grand or one grand, 800, 900.

Well, Mr Amiri, I've asked you a number of questions about conduct that's
been occurring at the University of Sydney. Is there anything else that
you'd like to tell the Commissioner about the conduct that has been
occurring, is there anything that you'd like to tell the Commissioner that I
haven't asked you any questions about?

30

THE COMMISSIONER: That might help us with our investigation.---Not
that I, since, since that stuff happened everything has stopped at the
university so I personally resigned okay from the company as of, effective,
that's it, my resignation it finishes this week and I've just taken, taken
annual leave and that's it. Now I'm planning to leave completely security,
not even do security anymore. So just from my knowledge I'm going to just
stop security because I was, I was a security officer at the Harbour Bridge -
- - Yeah.

40

--- for five years. Nothing was, every, everything was coming, coming in
the paper so we didn't have this issue with the, with the contractor or
subcontractor because the client over there they didn't want subcontractor.
They wanted a direct, direct employee. So I, that was really happy.
Actually I was, I got upset when they lost the contract over there because
when you're changing jobs, when you're meeting different people, you don't
know who you're going to come across with so, yeah.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sure. All right.

MR BAINE: Mr Amiri, were you aware that other people at the university were claiming hours for work that they didn't actually perform?---Was I aware?

Yes.---Yes, to an extent, yes.

20

And can you name those people?---Okay. Mina, George - - -

Can you say their surnames just for the record?---Okay. Mina Boutros, George Boutros, Emir Balicevac, Frank Lu, Amyna Huda. I can't recall any names, any other names.

Any other team leaders that come to mind?---Team leader. Ben, Ben Pfitzner, Ben Pfitzner and who else was there. I can't recall any other names.

30

How did you know that these people were claiming hours?---Because sometimes they used to tell us. They used to tell us.

And do you know if they were making a lot of money out of claiming extra hours?---Not sure. Possibly they would have, yeah.

All right. Just one moment. Commissioner, those are my questions.

40 THE COMMISSIONER: Thank you. Thank you very much for coming in this afternoon and helping us.---Thank you.

Just keep in mind that I made a non-publication order and that's going to continue so you can't talk to anyone about what happened here this afternoon.---That's guaranteed. That's guaranteed. So I'm not going to talk to anyone.

All right. Well, thank you very much for your assistance. It's been very helpful.---No, thank you.

Thank you. We'll adjourn now.

THE WITNESS STOOD DOWN

[3.57pm]

AT 3.57PM THE MATTER WAS ADJOURNED ACCORDINGLY

[3.57pm]

10