

PARAGONPUB01555
03/06/2021

PARAGON
pp 01555-01577

PUBLIC
HEARING

COPYRIGHT

INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION PARAGON

Reference: Operation E18/0736

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 3 JUNE, 2021

AT 3.15PM

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: Yes.

MR DOWNING: Thank you, Commissioner.

THE COMMISSIONER: Ready to proceed? My apologies to those who have been kept waiting. Yes.

10

MR DOWNING: Thank you. Mr Hadid, just a couple of matters. I've asked you a number of questions about the cars, to some extent yesterday, but mainly today.---Yes.

And I've also referred to the fact that the search warrants were executed on you and Mr Dubois on 18 June, 2019.---Yes.

20

Do you recall some contact from Mr Dubois after the search warrants were executed where he expressed some concerns about the cars?---I think we, I think we all met up the following day of the search warrant.

So accept from me 18 June, 2019, is the day of the search warrant. You say that you met up.---The following day, yeah.

And who's "we all?" So you?---I think there was me, Mr Chahine, I think Mr Dubois and I think that was it. I can't remember if there was Mr Alameddine there, but I, I don't think so, no, no.

30

Now, you've all had your phones taken in the course of the search warrants. ---Yes.

Do you recall how you and Mr Chahine and Mr Dubois got in contact?
---Oh, me and Mr Chahine live next to each other, we, we're best friends so
- - -

40

Right. But one of you then had to contact Mr Dubois or he had to contact you in order for you to get together.---I can't exactly remember how we linked up. I think somebody must have done the (not transcribable) somehow. I'm just trying to recollect exactly how but I can't remember.

I take it when the search warrant was executed you saw from the paperwork that it was based around an ICAC investigation into Mr Dubois' conduct.
---Mr Dubois and Mr Steyn, yes, correct.

And you must have assumed that search warrants would have been executed on them as well.---I assumed so, yes.

So you can't now recall precisely who it was that contacted who?---Yes.

But you met up the following day.---Yes.

And in the course of meeting up, I take it there was a few things to discuss.
---We really didn't discuss shitloads, so I think it was his, Mr, Mr Dubois' main, main reaction when he came and seen me was like, initially it was, it's a word that we use, like, he fucked up really bad in that.

He said that of himself?---Yeah.

10

But when you say a word that we used, do you mean he expressed it in Arabic?---Yeah, sort of, yeah.

Where did you meet that day?---I think we met at, just past Silverwater, round there, park or something.

So somewhere in a public location?---Correct.

And he said something to the effect that he'd fucked up.---Yes.

20

And do you then talk about any of the details in terms of what's been taken and what it might reveal?---I think we spoke about maybe him mentioning exactly what, how his sort of search warrant went and stuff like that, he did mention something about it was pretty, pretty intense and bits and pieces.

Even based on what you knew from your end, at that point first of all you knew that for nigh on a decade that you and Mr Chahine had been paying kickbacks in return for work from Mr Dubois.---Correct.

30

You understood that there were documents that had been on your computers and devices - - -?---Yes.

- - - and things like hard drives, USBs - - -?---Yes.

That would show, for instance, that companies that you all controlled were pretending to engage in competitive quoting processes for jobs?---Yes.

40

And I take it you also expected that there would be banking records that would provide a trail showing that there'd been payments into companies where the kickbacks had been paid for Mr Dubois?---Correct. Correct.

So you must have had a concern that the entire scheme, as it had been operating for all those years, was about to get uncovered.---It, it, it was inevitable, yes.

So was there any discussion then about doing something about it?---Maybe on, maybe not that day, no. Maybe the following day. I think it might have been the following day I, I was at home and I, I remember looking out the

window and seeing a car outside and walking out, and there was Mr Dubois and somebody else with him.

Did you know who the other person was?---Yes.

Can you recall who it was?---Do I have to recall the name?

Is it the case you'd prefer not to say?---Yes.

10 All right. But thinking back to the meeting, was there some discussion even
at that point about what you might say for the purposes of any inquiries that
were made of you, Mr Chahine or Mr Dubois about how you'd been
conducting your business?---I, I don't think we ever talk about, we spoke
about in regards what we will say, 'cause nobody, nobody knew nothing,
like, we, we didn't know what was going on. We were all in la-la land, if
you can say, like, in regards to talking about what we can say and stuff like
that. I do remember maybe, during that time, when I saw that car outside
and I, and I went with them, that there was a discussion with me and Mr
20 Dubois to go down to Melbourne and, and figure out what's, what are these
cars, whose names they are in and all that sort of stuff, yes.

And just dealing with that, you're aware by that time that there'd been
multiple cars that had been acquired?---There was cars everywhere, yeah.

Some in the names of your companies.---I didn't even know that until this
inquiry, yeah.

Well, I take it you're aware that they weren't likely to be in Mr Dubois'
name.---No.

30 So that they were likely either in your company names or perhaps your
name.---Maybe no names at all. Yeah, I, I do recall them not being
registered, but I do recall him getting receipts for the cars and stuff.

But was it Mr Dubois who suggested the idea of going to Melbourne to try
and see people at Dutton's?---I don't know if it was his idea or my idea, to
be honest with you. I think, I think at that time I, I, I had no idea what was
going on around me. I was in another dimension, another level, and I had, I
didn't have, I didn't have any guidance or somebody to tell me to do the
40 right thing until, or to figure out what I should be doing, until I met my
lawyer.

But having spoken to Mr Dubois then, you say you think perhaps, not the
next day when you met but the day after, was there then a trip to Melbourne
that occurred?---Correct.

And it was quite soon after, wasn't it?---Yes.

And are you able to say how soon? Was it two, three days after the search warrant was executed?---Yes. Yes.

And did it involve you driving Mr Dubois to Melbourne?---Yes.

Was there a reason for driving instead of flying?---I always liked driving down to Melbourne. I - - -

10 It's a long trip.---I, I actually don't mind it, to be honest with you. But it wasn't, it wasn't to be seen together or anything, like, it was just, because we left that night, that, that same night.

So you drove overnight?---Overnight, yes.

And, what, arrived in Melbourne in the morning?---Correct.

And did you then take him to Dutton's dealership?---I didn't take him to the Dutton's dealership, no. I went to a neighbouring - - -

20 Did you take him to somewhere nearby?--- - - - a neighbouring suburb, yeah.

Drop him off.---I waited there, yes.

And did he then go for a period of time and then return?---Correct.

And did he say something to you about what he'd done?---He said that there was cars, there was cars in my name and there's, that's it, there's two cars in my name or something.

30 Did he say anything about taking any steps for there to be changes in terms of whose names cars were in?---I think that was the, the trip to go there and, and make sure that they weren't in anyone's name or anything like that, yeah.

Did he say something, when he came back, about whether he would be able to determine whether there were cars in his name?---I don't remember him telling me maybe at that time there was cars in his name. I can't remember.

40 Did you understand from that point, or perhaps from later times, that he did something about the cars?---No.

So you literally take him down to Melbourne, he goes in and comes back and says something to you about the fact that some cars are in your name? ---Yes.

Do you say you learnt nothing else then about what was going on with the cars?---After that, no.

He didn't say anything about perhaps selling the cars or transferring the cars?---No.

And did you drive back that same day?---That same, that same day, yes.

So you go overnight, arrive in the morning?---Pretty much.

10 Take him to a suburb nearby Dutton's?---Yes.

He goes for a period and comes back?---Yes.

Reports to you that he believes there's a couple of cars in your name?---Yes.

And you drive back the same day?---14 Red Bulls and straight back.

And you say you don't recall later conversations about the cars?---No.

20 After those events that you've described from the search warrant to the end of that trip, has Mr Dubois ever said anything to you to suggest that you should give evidence to this Commission in a particular way?---No.

And when do you believe was the last communication you had with him prior to today?---The last time I spoke to Mr Dubois?

How long ago?---I think it was, I think it was January last year. I was, January or February last year I was just getting, I remember because I was just getting ready to go overseas.

30 And do you recall what he contacted you about?---To see how I was and to tell me why haven't I checked to see how he is and asked me what I was doing for work and stuff. And I told him I was doing some maintenance with a friend of mine and he asked me if I was interested to work with him because I was, I was a good resource in regards to civil and all of that, like, I'm pretty good at what I do. And that was the last time I spoke to him.

Sorry, he asked whether there might be some way you and - - -?---If I was interested to doing work with him, yes.

40 In doing some work with him?---Yes.

And what was your response to that?---I didn't reply.

So that's the last communication?---Yes.

Last subject matter I want to take you to is the things that you paid for in respect of Mr Steyn's house at [REDACTED]. I asked you some questions

yesterday and you indicated that you recall paying for certain things like bricks.---Yes.

Can I take you to some records, please. So first of all, volume 10.3, page 116. And you'll see that this is a quote to Mr Steyn from Brickworks, and you'll see there's a group of different business names within it, but Austral Bricks is one of them.---Yes.

10 And do you recall that it was Brickworks or Austral Bricks that was the company that you paid the bricks for in behalf of Mr Steyn?---I remember Austral Bricks, yes.

And you'll see this is a quote going all the way back to 14 August, 2012. ---Yes.

But can I take you, please, to a record at page 140 of the same volume? And you see, this is a CBF Projects bank statement.---Yes.

20 And it's an account ending in 3-4-8-2.---Yes.

And do you see on 5 November, 2013, there's a debit purchase using card 1-0-3-6 for Austral Bricks, \$2,536.82.---Yes.

And if I could take you, please, to page 140. You'll see that, if we could just enlarge that a little, please – I'm sorry, it's the same page, \$2536.82. If we could go to the next page, please, and you'll see that the actual receipt from Brickworks shows \$2,536.82, received 4 November, 2013, and it's indicated as being from Craig Steyn.---Yes.

30 And looking at that, the payment has been made as per the account from CBF. Do you recall that Mr Steyn – I withdraw that. You say that the request for payment for particular items came from Mr Dubois?---Yes.

Do you recall that there were some – that in respect of the bricks, that one payment was made through CBF?---Whoever was doing the work at the time, it came from them, yes.

40 And is it the case that it was paid from a contractor company directly because bricks were something that you could justify as a legitimate business expense?---Yeah, yeah. I suppose so, yeah. It was probably just paid from it because it was, the funds were there, yeah.

But also, as opposed to using the non-contractor companies like Euro Projects in order to funnel kickbacks, so via purchase of cars or use of money through a debit card, purchasing bricks was something that you could include as a work-related or business-related expense for CBF.---To be honest of you, I never, we never really thought about it that way, Counsel, it was more the kickbacks for Mr Dubois were like, cars and stuff

like that, where Mr Steyn it was more building stuff where I didn't have to buy it from a funnel company or anything like that.

Now, can I take you then, please, to page 142. And you'll see this is now a bank statement for Euro Civil.---Yes.

And it's a statement for the period 1 to 30 November, 2016.---Yes.

And the account number ending in 6-0-8-8.---Yes.

10

And if you go, please, to page 143, you'll see that on 24 November, 2016, there is a Visa purchase of \$4,098.08 to Austral Bricks.---Yes.

And if I could take you then, please, to page 144, you'll see that the relevant receipt indicates that that payment of \$4,098 to Brickworks was indicated as received from Craig Steyn.---Yes.

But again you'll see that the payment here wasn't made by Mr Steyn, but it was made through the Euro Civil account.---Correct.

20

So there are two records of payments which together come to about just over \$6,500 for bricks. Does that roughly accord with your recollection that it was not huge sums, but you were asked to pay for some of the bricks?---I, I believe the evidence, yes.

Can I take you then to a further document in respect of concreting. Do you have a recollection that you were asked to pay for concreting for Mr Steyn during the course of his works?---Yes.

30

And do you recall the company?---I don't recall the company but, but I remember the bloke's name was funny, so - - -

Does JV Concreting ring any bells?---Like I said, I don't remember the, the company.

Can we go, please, to page 147.---I remember getting the email for this or something like that. I don't know.

For you to pay for it?---Yes.

40

Now, unfortunately the computer software seems to be a little bit dated, but you'll see that first of all that the bill is for JV Concreting, you'll see that at the top.---Okay.

And you'll see that it shows the address is Mr Steyn's address in

██████████.

---Okay.

And if you look down below you'll see that the amount is \$8,701.---Okay.

And you'll see that it's got the delivery notes as Mr Steyn, and his mobile number there.---Okay.

Do you also see down below in the cash receipts, the first screen I've taken you to at the top of the page is the order entry, but down below the cash receipts screen.---Yes.

10 Do you see it again shows JV Concreting?---Yes.

Sum, \$8,701, and that it shows that it's been paid via a card and the card is in your name.---Okay.

So an EFTPOS payment using a particular card.---Okay.

And in that regard, if I could take you, please, to page 150, and do you see this is the CBF Projects bank statement, ANZ, and the account ending in number 2-1-6-3?---Yes.

20

And you'll see that on 1 June, 2015, there is indeed a visa debit purchase using card 8-0-2-9 of \$8,701.---Yes.

So does that accord with your recollection that there was a payment of roughly \$8,700 for concreting in respect of Mr Steyn's property?---Correct.

Finally can I take you to records in respect of the pebblecreting, and you'll recall I asked you some questions about this yesterday.---Yes.

30 About a company run by Mr, or I'm sorry, a business run by Mr Antoine Fedele.---That's the one, yes.

And can I take you, please, to the same volume, 10.3, page 202, and you'll see that that's a 2 November, 2017 invoice to Mr Steyn at his address, and you'll see it's a price for pebblecreting the front verandah and steps.---Yes.

So 3,927.60.---Yes.

40 Can we then go, please, to page 203. You'll see same date, 2 November, 2017, but an invoice in a different amount, and you'll see it shows a contract price of 53,883.50 and a payment that had been received of 37,000, so a balance of 16,883.50.---Yes.

And then finally if you could go, please, to page 204. You'll see this is an invoice dated back on 6 July, 2017, and it refers to a progress payment of \$37,000 being due and some extras, so that the total was 38,500.---Yes.

And looking at the name, Sydney Pebble Company, and that it's Mr Fedele, is it your recollection that it was him and the works through, well, pebblecreting or concreting works through Sydney Pebble Company that you were asked to pay for?---Correct.

And can I take you, please, to page 212, same volume. You'll see from the image it's a screenshot, but a text exchange.---Yes.

10 I'm going to suggest it's a text from Mr Fedele to Mr Steyn, and you'll see he's chasing him for payment but asking that if he could "ask Baz if he could pay thus", it looks like a typo, it should be "these", "invoices urgently."---Okay.

And Mr Steyn replies, "No problem, Antoine. I'll call him now."---Yes.

20 Do you have a recollection of getting a call from Mr Steyn and him asking you to hurry up with the payment of the invoices for the pebblecreting?---I do recall along that lines. I, I can't remember exactly but I do, I do remember a message or a call or something like that from Mr Steyn in regards to this, yes.

And ultimately you pay the pebblecreting costs in respect of the house, correct.---Correct.

All right. Thank you, Commissioner. They're the questions I have for Mr Hadid.

30 THE COMMISSIONER: Yes, is there any application for leave to cross-examine Mr Hadid? There's no application made. Now, Mr Mitry, is there any matters you want to raise with your client?

MR MITRY: There's just one matter, Your Honour, that over lunch I was told by Mr Hadid that there were consequences.

THE COMMISSIONER: Yes, all right. Sorry, what's the subject matter? Just use the microphone, if you would. It helps to - - -

MR MITRY: Yes, thank you.

40 THE COMMISSIONER: I'm sorry, there is something you want to raise with your client? That is, by way of questioning him or not?

MR MITRY: Yes, he said over lunch that he'd like to tell the Commission of a subject that Mr - sorry, just forgotten the name of the, one of the people said what would happen with his job if he didn't do such-and-such a thing.

THE COMMISSIONER: Well, so what's your application? Do you want time to speak to your client first or do you want to proceed with questioning or – is there some application? That's all I'm asking.

MR MITRY: No, there is not, Commissioner.

THE COMMISSIONER: No, all right. I just wanted to give you the opportunity, that's all.

10 MR MITRY: Yes, thank you, Your Honour.

THE COMMISSIONER: Thank you, Mr Mitry. Now, Mr Hadid, thank you for your attendance. There may be a requirement for you to return some time in the future. That may depend upon whether or not there's any application by somebody to cross-examine you about some matter. That may or may not occur. So I can't at the moment discharge you from your summons, but I can release you from the hearing today.---Thank you, Commissioner.

20 Thank you for your attendance.---Thank you.

You may step down. You're free to go today if you wish. You're free to go today.

THE WITNESS STOOD DOWN

[3.38pm]

30 MR DOWNING: Thank you, Commissioner. Mr Chahine is here. We don't have a lot of time left, but we can usefully use the last 20 minutes if that's convenient.

THE COMMISSIONER: Start with him, yes. Very good, yes. Mr Chahine. Come forward, Mr Chahine. Mr Chahine, to give evidence you either have to take an oath or an affirmation. Which do you wish - - -

MR CHAHINE: Oath.

40 THE COMMISSIONER: An oath. All right. Do you swear on the Bible?

MR CHAHINE: Koran.

THE COMMISSIONER: Koran. Very well. There is a Koran there.

THE COMMISSIONER: Would you state your full name?---Chahid Chahine.

Thank you. Mr Chahine, you're represented by Mr Wong?---Yes.

Is Mr Wong present?

10

MR WONG: Yes, Commissioner. Yeah.

THE COMMISSIONER: Thank you, Mr Wong. Mr Wong, I'm not sure if I've already granted you leave to appear or not but in any event, in case there is any doubt, I certainly give you leave to appear for Mr Chahine. Mr Wong, is there anything application you wish to make in this matter on behalf of your client?

MR WONG: Just the usual objection - - -

20

THE COMMISSIONER: Sorry, I can't hear you. You'll have to – just speak to the microphone if that's all right.

MR WONG: Just the usual objections, Your Honour.

THE COMMISSIONER: I'm sorry?

MR WONG: Just the usual section 38.

30

THE COMMISSIONER: Yes, very well. All right. You've explained to your client the provisions of section 38, have you?

MR WONG: Yes, Commissioner.

THE COMMISSIONER: Thank you. Mr Chahid, I understand from what's just been said that you wish to give evidence under objection and have a declaration made under section 38 of the Act, is that right?---Correct.

And you understand what those provisions provide for?---Correct, yep.

40

Very well. You realise, whether a declaration is made under section 38 or not, you are still bound to tell the truth?---Correct.

You understand that?---Yes.

A declaration under section 38 does mean that the evidence can't be used against you in other proceedings in the future, but the exception is that the evidence you give in this public inquiry could be relied upon in the event of

an offence under the Independent Commission Against Corruption Act, such as giving false evidence, for which a witness can be prosecuted and the evidence given under objection still can be used in such a prosecution. You understand that?---Yes.

But otherwise it does afford you the other protection that I have referred to. ---Yes.

10 Very well. Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by Mr Chahid and any documents or things that are produced in the course of his evidence at this public inquiry are to be regarded as having been given or produced on objection and there is therefore no need for Mr Chahid to make objection in respect of any particular answer given or document or thing produced.

20 **DIRECTION AS TO OBJECTIONS BY WITNESS: PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY MR CHAHID AND ANY DOCUMENTS OR THINGS THAT ARE PRODUCED IN THE COURSE OF HIS EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS THEREFORE NO NEED FOR MR CHAHID TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED.**

30 THE COMMISSIONER: Yes, Mr Downing.

MR DOWNING: Thank you, Commissioner. Mr Chahine, if you could just state your date of birth, please?---[REDACTED].

And it's the case, isn't it, that after you completed your high schooling, you began a plastering apprenticeship?---Correct.

And it was in the course of that apprenticeship that you met Mr Hadid? ---Correct.

40 Is it the case that he started a couple of years ahead of you?---Yes.

But you struck up a friendship in the course of seeing each other through the apprenticeship, correct?---Yes.

And over the course of your time as apprentices, it's the case, isn't it, that you ended up doing some work together?---Yes.

And then having completed your apprenticeship, is it the case that you both went off and worked separately in the plastering and building fields?---Yes.

But you kept in contact?---Correct, yes.

And then over the – well, just thinking about the period after you'd finished your apprenticeship, did you work for someone else?---I was subcontracting on my own. So, various companies.

10 Under your own name?---Correct, yes.

But did you keep in contact with Mr Hadid from time to time and find out what he was up to?---Yes. I also contracted with his uncle. So - - -

And was he working for his uncle at the time?---Correct, yes.

And were there occasions when you were working in your own name and he was working for his uncle where you might do jobs where you would get him into help?---Yes.

20

Or vice versa?---Correct, yes.

And then ultimately it's the case, isn't it, that you had some discussions with Mr Hadid about perhaps going into a business together?---Yes.

And when you did that, do you recall that you set up a company for the purposes of operating that business?---Correct, yes.

30

And was that company Complete Building Fitout?---Yes.

Can I show you volume 2.1 at page 26. That will come up on the screen in a moment. You'll see that the search indicates that the company was set up on 19 May, 2008.---Yes.

And was deregistered, if you look just down the page, on 6 October, 2013. ---Yes.

40

And if you go over the page, please, you'll see that you – and this is all in the past tense because by the time of the search it's been deregistered, but you were the previous director, the secretary and you'll see there's 100 shares, and if you go over the page, you'll see that you were the shareholder. ---Yes.

Now, it's the case, isn't it, that despite the company being set up with you being the officeholder and also the shareholder, that in reality it was both you and Mr Hadid that were running the company?---Not at the beginning. At the beginning I opened the company and then he had a fallout with his family and then he come along.

When it first opened do you say it wasn't being opened at that point for the purposes of you and him conducting business?---Correct.

What were you intending to do, just operate your own business through it?
---Yeah, correct.

10 Was there some reason for setting up a company at that point rather than just trading in your own name?---It was, I was doing big projects with another company, so I had to get workers under me and it was easier to establish a company in that way, it was just tax beneficial and whatnot, so yeah.

And so do you say that's why on 19 May, 2008, Complete Building Fitout was set up?---Correct.

And at the time was the work you were doing plastering and general fitout-type work?---Yeah, commercial fitouts, yes.

20 So was it mainly doing work on commercial buildings?---Correct.

And were you being subcontracted to head contractors to do bits and pieces of the work?---Correct.

How soon after the company was set up do you say that you spoke to Mr Hadid about him in effect coming on board?---Oh, it was about, within a month, yeah.

30 So he'd had some falling out with his, was it his uncle?---Yes, correct.

And he then decided to come and go into business with you.---Correct.

So from that point, is it the case that even though you remained as the officeholder and the shareholder on the books, that in reality you then ran it as a partnership?---Correct.

So that you would both do the work.---Yeah.

40 You would both seek work for it?---Yes.

And you would share whatever money the company made?---Correct.

And as far as seeking work, is it the case that you both had contacts through the people that you'd done work for in the past?---Yes.

In the building trade.---Correct, yes.

So that the early work you did, I take it, involved getting contract or I should say subcontract work from people that either you knew or that Mr Hadid knew?---Correct.

And was it again mainly in the commercial sphere?---Yes.

So doing gyprocking or fitout work or civil building-type work.
---Partitioning, ceilings, we done, we done, any, any work we got we done, so yeah.

10

And so accepting that it seems that that would put it in mid-2008 when you started doing the work, you then did it for a number of years of doing that general commercial-type work. Correct?---Correct, yes.

20

And did you have any particularly large clients at the time?---Yeah, there was, we were contracting through a larger client which was called Dutch Harbour Group that were doing work for St Hilliers and Hooker and (not transcribable) and, and yeah, and then we done a job for the Reserve Bank of Australia where we lost about I think 47,000 'cause the company we were working for didn't pay anyone.

So they went under and stopped paying?---They went under.

And was that on the Reserve Bank building?---Correct, yes.

So in Martin Place.---Yeah.

30

But is it the case that each of the jobs you were doing there was Complete Building Fitout as a subcontractor to some other bigger contractor?---Correct.

And do you recall that at some point during the time that you knew Mr Hadid, he introduced you to Alex Dubois?---Correct.

And did you understand that the connection was through Mr Hadid's cousin Maher Chamsine?---I didn't know where the connection come from, no.

But it was Mr Hadid who introduced you to it?---Correct.

40

So it was someone that Mr Hadid knew.---Yep.

And do you recall, when you met him, was he using the name Alex Dubois or was he using a different name?---Correct, yes, he was using Alex.

Did you know that he'd been known by or had gone by a different name?
---Not till later.

But did you subsequently learn that the name he had gone by earlier was Hassan Habbouche?---Correct.

And when did you learn that?---Within the first couple of jobs.

When you say jobs, you mean RTA jobs?---Yep.

Now, when you met him through Mr Hadid, did you learn what he was doing for work?---Yes.

10

And what was it that you understood he was doing?---He was project managing for the RTA at the time.

So when you first met him, he is at the RTA.---Correct.

So were you present at any discussion with Mr Dubois, or perhaps with Mr Hadid and Mr Dubois, where the subject of perhaps Complete Building Fitout doing some RTA work came up?---Not the first initial discussion 'cause I think when we met him the second time around, and I was at Barrak's house, so that's when I first met him, yes.

20

And in the course of that meeting at Barrak's house, what happens in terms of any discussion about work? Who raises it, who says what?---Just asked us what we do and he said he's got some small jobs he can have us do, so we said, yeah, we're happy to do them.

Did he say anything in terms of the detail of what sort of work?---No, just concreting and there was a fit-out job coming up and just, yeah.

30 So he said that - - -?---Various, various amounts of work, yeah.

So he had some smallish jobs that you might be able to do.---Correct.

You understood he worked at the RTA.---Yes.

And I take it you've got a driver's licence?---Yes.

So you know something at least in general terms about what the RTA is and what it does?---Oh, look, I knew back then RTA done driver's licence. I didn't know they actually give out contract work for, in the civil industry, so that's something I learnt then and there too.

40

But you knew they took care of driver's licences?---Yep.

And car rego?---Correct.

So I take it you understood it was part of the government – that is it's a government authority.---Correct, yes.

It looks after things to do with roads and road use.---Yes.

And did you learn from Mr Dubois that part of what it did was took care of particular road infrastructure or buildings that related to the road system?

---Through Mr Dubois, yes.

So that ultimately you learned through him that he is responsible for certain projects that need work done on them.---Correct.

10

And he mentions to you at that meeting you've described that there was some jobs that involved works that might be in your area of interest?

---Correct, yep.

Did he say anything at that initial stage about what would be involved, that is whether he'd just tell you to go to a job and do something or whether you had to put in quotes?---Yeah, we had to put in quotes and he would send us documents of what the job was and I'll create the job up and go do it.

20

And did you learn, either through that discussion or perhaps just through what he then sent you, that he would send you an email with what's known as a request for quote.---Correct.

With some data or information about what the job involves?---Yes.

Sometimes some photos or drawings.---Yes.

And would he ask that you then put together a quote?---Correct.

30

And submit it?---Yes.

And did you learn fairly early in the piece, when it came to doing the work, that what would then happen is you'd put the quote in and you'd be told if it was accepted?---Yes.

And you'd be given a contract number?---Correct.

And then once the work was underway you'd be given what was known as a purchase order number?---Yes.

40

And you would then be in a position, when it came to invoicing, to put that number on your invoice.---Correct.

And you'd get paid.---Yes.

And the payments were always via fund transfer, weren't they?---Correct.

Now, I take it when you set up Complete Building Fitout, you also set up a bank account?---Yes.

And it's the case, isn't it, that you at the time tended to bank with ANZ.
---Correct.

And you set up the account with ANZ.---Yes.

And you were the signatory on it.---Yes.

10

When it came to the process of quoting, when you actually had to physically prepare a quote, who would do it between you and Mr Hadid?---I would.

Is it the case that he wasn't particularly handy with a computer?---Correct.

But would you talk about the particular job and the costings of it and then you would put it down onto a written document?---Yes.

20 And in the early days, and we're really going back, I'm going to suggest, to about 2010 - - -?---Yep.

- - - where were you operating from?---My mother's house.

In which suburb?---Panania.

And was that the address that was on the search that I just showed you before?---Yes, yeah.

30 Now, it's the case, isn't it, that after that discussion, not too far down the track, you ended up doing some work?---Yes.

And it's the case, isn't it, that early on the jobs were smallish jobs?---Yes.

Did you learn either at that early stage or perhaps later that depending on the value of the job there was a requirement that Mr Dubois and the RTA had in terms of the number of quotes that were required?---No.

Never learnt that?---No, never, never learnt that, no.

40 Did you not learn at some point that for bigger jobs he needed to get three quotes?---Later on down the track. Not - - -

But not at that point?---Not at, not at the beginning, no.

Now, as far as the initial jobs are concerned, do you recall that they involved doing installations in relation to what are known as TIRTLS?
---Yes.

And TIRTLs, I'm going to suggest to you is, it's an acronym for The Infrared Traffic Logger.---Correct,

And they're a device mounted on the roadside, correct?---Yes.

Which then, through infrared technology, logs car movements?---Cars and trucks, yes.

Sorry, cars and trucks.---Yep.

10

And then is used to then activate the camera systems.---Activate and determine if it was a heavy vehicle or a car, yes.

And do you recall that in the early stages of the work, you did TIRTL installation jobs at a number of locations?---Yes.

And can I take you, please, to volume 2.1, page 1? You'll see that this is a table or a schedule of particular jobs that I'm going to suggest Complete Building Fitout did, and starting from the earliest jobs, you'll see that there are dates in terms of invoices that are in May 2010?---Yep.

20

And do you see that the early jobs there involve invoices for, if you look at the column headed Works, "Bargo TIRTL invoice, Gundagai TIRTL invoice, Boggabilla TIRTL invoice and Albury TIRTL invoice."---Yes.

Can you remember that they were some of the early jobs you did, that is doing TIRTL installations at those locations in country NSW?---Yes.

You will also see, if you go down below that first yellow section of the table, that there are then invoices, described as invoice 2, for Albury, Bargo, Boggabilla and then Albury again.---Correct.

30

And can you recall that with those jobs that a number of them where you put in quotes initially, you then billed them in two stages?---Yeah. Well, one is under Hume Highway and the other job was more out west. So, they were two separate – so that's why they had to be done at separate times.

But do you see, for instance, the first four invoices in relation to those Bargo, Gundagai, Boggabilla and Albury jobs were all in the 13 to \$15,000 range.---Correct.

40

So smaller jobs.---Yep.

And you will see that in the first yellow section of the table that I'm going to suggest the first payments were made on 31 May and 3 June.---Yep.

So with a combined payment for the Bargo, Boggabilla and Albury job on 31 May, and then a separate payment on 3 June for Gundagai.---Yep.

Now, thinking about those TIRTL works, and I'm suggesting that's the earliest work that's done.---Yep.

Do you recall Mr Dubois at any stage suggesting that in return for that work that Complete Building Fitout was getting that he wanted something in return?---Not that early. I'm pretty sure not that early. It was more towards the bigger amounts, some jobs, yeah.

10 Do you recall that with any of the TIRTL jobs that he asked for an amount of perhaps a few thousand dollars per TIRTL installed?---Yeah, I think that was when we had first done the Taree job. So Taree and Nabiac. It was the first two actual TIRTL install job we done.

Sorry, the first ever TIRTL install you did?---Yes.

20 So, well, this record suggests that the first one ever that you've invoiced for was, well, Bargo - - -?---We didn't, we didn't install them. Another company installed them. We had to go there and install a special angled plate on it because it wasn't to the Australian Standards. It had a higher, a 150-mil higher frontage. So if a car had come off the road and hit it, the RMS was liable. So we had to put an angle on the front of the TIRTLs.

So are you saying at a particular location or each of those?---At all these ones, the Gundagai, Bargo, Albury and then all the, the ones all the way to Boggabilla.

30 But is what you're saying that you actually didn't perform them, you subcontracted that work?---Correct.

Right.---Oh, well, I performed them. I went and performed them, helped. I took a concreter and another labourer with me and we travelled to all those jobs.

But do you say that you got another company in to do the technical work in respect of the actual TIRTL?---No, they had, he had, the technical work was done by Col Campbell at the time.

40 Is that CIC?---(not transcribable) yeah.

Is it CEC or CIC? CIC Engineering?---Yep, yep.

But as I understand your evidence, you're saying that with those jobs you don't believe there was any kickback that was sought.---To my knowledge, yeah, to the best of my knowledge.

And sorry, just repeat for me, you did seem to single out a particular TIRTL install where you believe there was a request for payment.---Yeah, that was, would have been - - -

Was it Taree?---Taree and Nabiac.

And what is it about that job that stands out in your mind so that you are able to tell us that you believe that's when you were asked for some form of kickback?---I just remember he wanted a certain amount per TIRTL.

10

So thinking about that with the Taree and the Nabiac job, is it more than one TIRTL is installed per site?---Correct, yeah.

So depending on how many lanes and where on the road you want the system to record movements, you might have a number.---Yeah, it's a dual highway, so there was two pairs of TIRTLs at Taree and two pairs at Nabiac, so - - -

20

So four all-up.---Correct.

And do you recall what sort of money he asked for in respect of those jobs? ---Oh, it could have been a couple of grand or nearly 3,000, it just - - -

Per TIRTL?---Per TIRTL.

Now, you say that's the first time he raises with you some desire to get something in return for the work.---Correct.

30

Do you recall how he raised it, what was the way in which he broached the topic?---It just sort of was demanded really, so just - - -

Are you able to say when? At the point where you quoted for it or after you'd done the job?---Well, just as we were quoting for it he just basically said this is how much he wants, so - - -

And did you talk to Mr Hadid about that at the time?---Yeah, I did.

40

And what was the wash-up of the discussion?---Just, I can't recall the actual discussion, it's just – it is what it is, so we just wanted to work, so - - -

So you agreed.---Yeah.

And was that paid in cash?---I can't recall at that time. If you give me the dates probably I can - - -

Do you have a recollection though in terms of the way in which kickbacks were paid as a form that it was paid over time?---Yeah, it was paid through MWK.

Well, that was at a certain point I'm going to suggest a bit later than the early TIRTL works.---Yeah.

Do you believe, is your recollection that that initial kickback based on the fee per TIRTL was paid in cash or through MWK?---I don't recall. I hardly ever took out cash, so - - -

Is that a convenient time, Commissioner?

10

THE COMMISSIONER: Yes, it is.

MR DOWNING: And I'm sorry you've been waiting this afternoon now for only a short period of evidence, Mr Chahine, but we'll have to have you back tomorrow.---It's okay.

THE COMMISSIONER: We will resume tomorrow, so if you could be here for a 10 o'clock start tomorrow.---Okay.

20 Thank you. I'll adjourn.

THE WITNESS STOOD DOWN [4.03pm]

AT 4.03PM THE MATTER WAS ADJOURNED ACCORDINGLY [4.03pm]